

April 5, 1977



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EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-92

April 5, 1977

AUTHORIZATION TO ACCEPT QUITCLAIM DEED FROM ALAMEDA COUNTY TO 0.097 ACRE
SITE ADJACENT TO REDWOOD REGIONAL PARK

WHEREAS, by Resolution No. 4627 adopted July 23, 1974, this Board approved a Joint Exercise of Powers Agreement with Redwood County Fire Protection District; and

WHEREAS, under the terms of that agreement, Redwood County Fire Protection District (Alameda County) was to transfer all right, title, and interest in its property to the East Bay Regional Park District; and

WHEREAS, Alameda County has executed the necessary Quitclaim Deed to transfer said property to the East Bay Regional Park District, as specified in the aforementioned agreement; and

WHEREAS, under the terms of the District's Environmental Review Manual, this acquisition is categorically exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that the Quitclaim Deed presented to the Board this date, covering 0.097 acres adjacent to Redwood Regional Park is hereby approved and accepted, and the President, Secretary and General Manager are hereby authorized to take all appropriate actions to document such acceptance and cause the deed to be duly recorded.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 5th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Mary Lee Jefferds.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-93

April 5, 1977

APPROVAL OF FEE INCREASE FOR DISTRICT SAFETY CONSULTANT

WHEREAS, the District Safety Consultant, Al Barnes, has requested an increase in his consultant's fee from the current rate of \$580 per month to \$650 per month; and

WHEREAS, liability insurance premiums and professional membership fees have increased since the last adjustment in such fee authorized in August, 1974; and

WHEREAS, the Consumer Price Index has increased 15% between September, 1974, and September, 1977; and

WHEREAS, Staff recommends approval of the \$70 per month increase and has included sufficient funds for the Safety Consultant fees in Account No. 1-20-551 in the recommended budget for fiscal year 1977/78;

NOW, THEREFORE, BE IT RESOLVED that this Board approves an increase of \$70 in the safety consultant's fee from \$580 to \$650 per month, payable to Mr. Al Barnes, subject to all other terms of his agreement with the District, effective and commencing the month of May, 1977.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 5th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Mary Lee Jefferds.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-94

April 5, 1977

REVISION TO ADMINISTRATIVE MANUAL, SECTION 1, VOLUME II,
CHAPTER 2, VI EMPLOYEE SELECTION

BE IT RESOLVED that Section 1, Volume II, Chapter 2, Subsection VI Employee Selection A. General. 2., is hereby revised to read as follows, effective April 5, 1977:

" When specifically cited in the job description, applicants will be required to possess a valid California driver's license. When specifically cited in the job announcement, applicants will be required to provide information about any criminal convictions, be fingerprinted for identification purposes, take a physical examination and/or take a psychological and/or psychiatric examination."

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 5th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Mary Lee Jefferds.

X

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-95

April 5, 1977

AUTHORIZATION TO PURCHASE 0.09 ACRE COSTANZA, ET AL, PROPERTY AS AN ADDITION
TO MARTINEZ REGIONAL SHORELINE

WHEREAS, by Resolution No. 1976-6-153, adopted June 1, 1976, this Board accepted an Acquisition Evaluation Report for five parcels at Martinez Regional Shoreline, including the Costanza, et al, property consisting of 0.09 acres, more or less; and

WHEREAS, staff has heretofore presented to the Board Step 1 of the Parkland Planning and Review Sequence Policy and has completed Steps 1 through 4 of the Parkland Acquisition Procedures Policy on the subject property, all in accordance with the District Master Plan; and

WHEREAS, under the District's Environmental Review Manual this acquisition is categorically exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that this Board authorizes and directs the President and Secretary to exercise its option to purchase in that certain Option to Purchase Real Property between the District and Rocco M. Costanza, et al, dated January 15, 1977, and the President and Secretary are authorized to accept a Grant Deed to the property described as Assessor Parcel No. 373-022-005, and the General Manager is directed to record same in the Official Records of Contra Costa County; and

BE IT FURTHER RESOLVED that the sum of \$6,000 is hereby appropriated from Account No. 29-20-308 to Account No. 31-58 to pay the purchase price of \$5,000 and title and escrow fees, appraisals, legal fees, and other expenses necessary to complete the acquisition.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 5th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Mary Lee Jefferds.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-96

April 5, 1977

AUTHORIZATION TO PURCHASE 1.19 ACRE SPARACINO, ET AL, PROPERTY
AS AN ADDITION TO MARTINEZ REGIONAL SHORELINE

WHEREAS, by Resolution No. 1976-6-153, adopted June 1, 1976, this Board accepted an Acquisition Evaluation Report for five parcels at Martinez Regional Shoreline, including the Sparacino, et al, property, consisting of 1.19 acres, more or less; and

WHEREAS, staff has heretofore presented to the Board Step 1 of the Parkland Planning and Review Sequence Policy and has completed Steps 1 through 4 of the Parkland Acquisition Procedures Policy on the subject property, all in accordance with the District Master Plan; and

WHEREAS, under the District's Environmental Review Manual this acquisition is categorically exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that this Board authorizes and directs the President and Secretary to exercise its option to purchase in that certain Option to Purchase Real Property between the District and Rose Sparacino, et al, dated November 5, 1976, and the President and Secretary are authorized to accept a Grant Deed to the property described as Assessor Parcel No. 373-011-004, and the General Manager is directed to record same in the Official Records of Contra Costa County; and

BE IT FURTHER RESOLVED that the sum of \$27,000 is hereby appropriated from Account No. 29-20-308 to Account No. 31-52 to pay the purchase price of \$26,000 and title and escrow fees, appraisals, legal fees, and other expenses necessary to complete the acquisition.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa and adopted this 5th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Mary Lee Jefferds.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-97

April 5, 1977

AUTHORIZATION TO ACCEPT GRANT OF EASEMENT FOR ACCESS FROM
BIO-SCIENCE LABORATORIES AT SAN LEANDRO CREEK TRAIL

WHEREAS, by Resolution No. 1976-4-79, dated April 6, 1976, this Board entered into an Operating Agreement with the Alameda County Flood Control and Water Conservation District to establish a public bicycle and hiking trail along San Leandro Creek; and

WHEREAS, under such Agreement the Flood Control District accepted the responsibility to develop the trail and the Park District accepted responsibility for maintaining and operating same; and

WHEREAS, such maintenance and operation will be more efficient and improved by access to said trail over lands owned by Bio-Science Laboratories; and

WHEREAS, Bio-Science Laboratories has agreed to grant to the District an appropriate easement over its lands at no cost to the District; and

WHEREAS, such acquisition is categorically exempt under CEQA;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to accept the Grant of Easement for Access from Bio-Science Laboratories in the form presented to the Board this date, and the General Manager is hereby directed to record same in the Official Records of Alameda County.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 5th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Mary Lee Jefferds.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-98

April 5, 1977

APPROVAL OF SALARY INCREASE FOR HERB FASSLER

WHEREAS, Herb Fassler has completed one year in the position of Captain, Public Safety; and

WHEREAS, his performance, as indicated on the completed performance appraisal report, reviewed this date, is well above average and indicates a positive contribution to the growth and development of the Public Safety Department;

NOW, THEREFORE, BE IT RESOLVED that effective April 1, 1977, the salary of Herb Fassler shall be increased to an annual rate of \$22,318 (Grade 6, Salary Step b).

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 5th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Mary Lee Jefferds.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-99 A

April 5, 1977

AUTHORIZING FILING OF GRANT APPLICATIONS UNDER PROPOSITION 2 FUNDING

WHEREAS, the people of the State of California have enacted the State, Urban, and Coastal Park Bond Act of 1976 (Proposition 2) which provides funds to the State of California and its political subdivisions for acquiring lands and for developing facilities for public recreation and historical purposes; and

WHEREAS, Contra Costa County has included East Bay Regional Park District in its Priority Plan for Expenditure of funds allocated to it under Proposition 2; and

WHEREAS, the allocation to East Bay Regional Park District is \$449,091 for funds to be spent on projects located in Contra Costa County;

NOW, THEREFORE, BE IT RESOLVED that the General Manager is hereby authorized and directed to file appropriate applications for Proposition 2 funds for the following projects in the stated amounts:

- | | |
|---|-----------|
| A. Development of the north end of Briones | \$200,000 |
| B. Briones-Mt. Diablo Trail development | \$100,000 |
| C. Briones-Las Trampas Trail development | \$ 75,000 |
| D. Development at Black Diamond Mines Regional Preserve | \$ 74,091 |

Moved by Director William F. Jardin, seconded by Director Water H. Costa, and adopted this 5th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Mary Lee Jefferds.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-99 B

April 5, 1977

RESOLUTION OF THE EAST BAY REGIONAL PARK DISTRICT APPROVING THE APPLICATION
FOR 1976 STATE GRANT MONEYS FOR PROJECTS LOCATED IN CONTRA COSTA COUNTY

WHEREAS, the people of the State of California have enacted the State, Urban, and Coastal Park Bond Act of 1976, which provides funds to the State of California and its political subdivisions for acquiring lands and for developing facilities for public recreation and historical purposes; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing application by local agencies under the program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications prior to submission of said applications to the State; and

WHEREAS, said applications contain assurances that the applicant must comply with; and

WHEREAS, the applicant agency will enter into an agreement with the State of California for the acquisition and/or development of the project;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby:

1. Approves the filing of an application for 1976 State grant assistance; and
2. Certifies that said agency understands the assurances in the application; and
3. Certifies that said agency has or will have sufficient funds to operate and maintain the project; and
4. Certifies that said agency has reviewed and understands the General Provisions contained in the same state/local agreement; and
5. Appoints the General Manager as agent of the District to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments, payment requests, and so on which may be necessary for the completion of the aforementioned project.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 5th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Mary Lee Jefferds.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-100

April 5, 1977

AUTHORIZATION TO ENTER INTO EXCLUSIVE RECOGNITION AGREEMENT WITH
LOCAL 2428 AFSCME

WHEREAS, the two year term of the District's 1975 Agreement with Local 2428 AFSCME ("Union") expired March 31, 1977; and

WHEREAS, District and Union representatives have negotiated a new Agreement which has been submitted to this Board and Union's membership for approval; and

WHEREAS, this Board has reviewed the terms of such new Agreement and recognizing the appropriateness of accepting a complete, integrated contract containing some provisions which are not entirely satisfactory from the Board's viewpoint in a spirit of constructive labor relations and compromise;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The President and Secretary are hereby authorized and directed to execute and deliver to Local 2428, American Federation of State, County and Municipal Employees (AFL-CIO) (the "Union") a form of new "Agreement" upon the same terms as contained in that certain 1975 Agreement between the District and the Union for a two year term ending March 31, 1977 ("the 1975 Agreement") modified in accordance with the changes set forth in that portion of that certain memorandum to the Board dated April 5, 1977 from Robert Owen, Chief of Administration, consisting of white pages 1 through 5 (one side only) and blue pages 1 through 11 (both sides) presented to the Board this date (a true copy of which is attached to the original copy of this resolution on file in the District's records), and approved as to form in writing by Special Counsel Tom Kane.
2. The new Agreement described in Paragraph 1 above shall be delivered subject to the condition that the offer embodied therein shall be of no further force or effect whatsoever:
 - a. Without further act of this Board or notice to the Union, if such offer has not been accepted by its due adoption and execution by Union and unconditional delivery thereof to District on or before 12:00 noon, April 18, 1977; or
 - b. By notice of revocation of such offer signed by the President and Secretary or Vice President of the District given to the Union at any time prior to acceptance of such offer by the Union.
3. The representatives of the District and the Union are congratulated for their dedication and skill in resolving difficult issues to the satisfaction and benefit of the District, the Union and their affected employees and members.

Moved by Director Harlan R. Kessel, seconded by Director Paul J. Badger, and adopted this 5th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Mary Lee Jefferds.

SETTLEMENT - LOCAL 2428/EBRPD

April 5, 1977

(1) Section 2.1 Union Recognition

- (a) The District withdraws its proposal on removal of positions from the bargaining unit provided the parties sign a letter of understanding which states that in the event circumstances occur which would subject the issue to Section 3.3, neither party will introduce into evidence any reference to these 1977 meet and confer proceedings concerning the issue and the positions of the parties.
- (b) By letter to the Union the District will agree not to employ Seasonal Firefighters for a period of time in any calendar year which exceeds by more than two (2) weeks the fire season as declared by the State Division of Forestry. The employment period for Seasonal Firefighters, with the exception of the two (2) weeks extension period, shall coincide with the fire season.

(2) Section 2.2 Union Security

- (a) The following provision will become effective within thirty (30) days after the effective date of applicable legislation authorizing such Agency Shop arrangement:

(2.2 of the present Agreement follows, except delete the grandfather clause therein and add:)

In the event that Agency Shop is made effective by reason of such authorizing legislation, any employee of the District who, as of March 31, 1977,* was not signatory to a checkoff authorization and who does not thereafter voluntarily become signatory to such authorization will be exempt from the Agency Shop provision. This exemption shall not be applicable to individuals first employed after March 31, 1977.

Any employee to whom an exemption from the Agency Shop is available and who exercises that exemption shall, in lieu of payment to the Union required by the Agency Shop, contribute through payroll deductions an amount equal to the dues of the Union to any one of the following:

1. The fund established under the Agreement for the provision of the services of Occupational Health Services.
2. The Sick Leave Bank established under the Agreement.
3. American Friends Service Committee.

(b) 2.3(c)(1)

An employee wishing to revoke his or her checkoff authorization may, within the seven (7) day periods between November 1 and November 7, inclusive, in 1977 and in 1978, forward a letter to the District by U.S. Mail stating the desire to revoke the authorization. The District shall promptly forward a copy of this letter to the Union. The revocation shall become effective with the remittance to the Union during the following December.

The periods for revocation specified above shall be the only times during the life of this Agreement that employees may revoke their authorization for checkoff. Failure to notify the District during these periods shall constitute an abandonment of any right the employee has to revoke his or her authorization during the term of this Agreement. This Agreement shall constitute the sole and exclusive notice of revocation of checkoff rights under the Union Security provisions of this Agreement.

This Section 2.3(c)(1) will become null and void upon the effective date of the Agency Shop provision (Section 2.2).

(3) Section 3.1 Management Rights - No change from current Agreement.

(4) Subcontracting (New provision)

In the event the District determines to subcontract work which would result in the layoff of any employee covered by this Agreement or the bumping of any employee in accordance with Section 7.4, the District shall notify the Union in writing at least thirty (30) calendar days in advance and, upon request, shall meet with the Union to discuss the matter, including an attempt to avert, by transfer or other reasonable means, the layoff or bumping.

Prior to contracting work which would result in the consequences mentioned above, the District's consideration shall include but not be limited to whether adequate numbers of employees are available to perform the necessary work within the time limits available, whether sufficient and suitable equipment is available and whether the use of District employees shall involve extra cost to the District.

(5) Appendix A (second paragraph, page 26)

Six-month employees who complete their first six months of employment, which shall be considered probationary, with a performance rating of "standard" shall thereafter be entitled to reemployment as six-month employees in available positions without interview unless they terminate their employment by failure to notify the District of their intent to return to work, or by failing to return to work, in any subsequent year.

(Delete the last sentence of the present Agreement and put intent as part of side letter).

(6) Section 13.3 Work in a Higher Classification

Employees who are designated by the District to work in a higher classification, the duties of which are not a part of the employee's regular classification, or designated to substitute for employees of a higher classification, shall be paid an additional \$3.50 per day, from and including the first day of work in the higher classification. Effective April 1, 1978, the above amount shall be increased to \$4.00 per day.

(7) Zone Managers and Supervisory Ratios

Renew prior written agreements concerning Zone Managers and Supervisory ratios.

ARTICLE XXITerm

Term of the Agreement - April 1, 1977 through March 31, 1979.

APPENDIX BCost Items

1. Increase all monthly rates in Range I, II and III by \$77.00 per month effective April 1, 1977.
2. Increase all monthly rates in Ranges IV through XX by \$70.00 per month effective April 1, 1977.
3. Effective April 1, 1978, the rates set forth in Appendix B shall be increased by a minimum of five and one-half percent (5 1/2%). In the event the Consumer Price Index for Urban Wage Earners and Clerical Workers - San Francisco-Oakland, California All Items (1967 = 100) for December, 1977, exceeds such Index for December, 1976 (such being 172.5) by more than five and one-half percent (5 1/2%), then the monthly salaries shall be increased equal to the percentage amount the Index for December, 1977, exceeds the Index for December, 1976, but subject to a maximum of nine percent (9%). Should the Index for December, 1977, exceed the Index for December, 1976, by twelve percent (12%) or more, the contract shall be reopened April 1, 1978, for wages only.
4. The overtime firefighting hourly rate will be set at one and one-half (1 1/2) times the equivalent hourly rate of the one year rate of Range XII.
5. District proposal on establishment of Supervisor I, II and III is withdrawn subject to the same language as relates to the removal of the District proposal on the exclusions from the bargaining unit (See Section 2.1 above).
6. Change Park Groundsperson title to Park Worker.
7. Move 6-month Park Worker to Range VIII with designation as Park Worker (6 month) and notation that the rate for 6-month Park Worker is always the start step.
8. Move 9-month Park Aide to Range VIII with designation as Park Worker (9 month). (9-month Park Worker rate equal to 12-month Park Worker.) In Appendix A increase personal leave to nine (9) days.

9. Inclusions:

Park Attendant (12 month)	\$3.80
Gate Attendant (Marciel Gate and Redwood)	\$3.53*
Boat Dock Attendant A	\$3.53*
Boat Dock Attendant B	\$3.65*
Six-month Revenue Operations Agent	Start Step Range VIII

*These positions are permanent part-time occupations subject to benefit coverage (excluding the Retirement Plan) as applicable to other such employees as specified in Appendix A; provided, however, the provisions of Sections 12.1, 12.3, 13.2 and 13.5 shall not be applicable and hours of work shall be as determined by the District. Overtime at time and one-half (1 1/2) times the employee's hourly rate shall be paid for authorized work in excess of forty (40) hours in any week.

10. A new classification of Nature Area Custodian will be established between current Ranges IV and V (Start \$898 - 3 year rate \$1012), plus the general increase.
11. The position of Public Relations Aide will be reclassified to Range XI, including the general increase. The revised position description and comparison study will be completed within two months. If agreement is reached (including through arbitration) on a higher range, the salary adjustment will be retroactive.

Cost Items

Six-Month Employees

1. Holidays (Article VIII)

Six-month employees who work on a holiday set forth above shall receive time and one-half (1 1/2) their regular straight time rate for hours worked on such holiday. None of the other Sections of this Article VIII shall be applicable to six-month employees.

Six-month employees shall be guaranteed the opportunity to work two (2) holidays. If the opportunity is not available, the six-month employee shall be paid for the holidays not worked.

2. Medical (Appendix C)

Effective with the second year of employment, six-month employees and their dependents shall be enrolled in the Kaiser Plan on the same payment basis as applicable to full-time employees.

3. Sick Leave (Article IX)

A six-month employee shall accrue sick leave with full pay on a basis of one (1) day for each month where the employee is on pay status at least one-half (1/2) of the working days of that month.

APPENDIX C

Cost Items

1. Major Medical/Hospital Insurance Plan

The District shall pay the following amounts of premium cost, for each employee and all of that employee's eligible dependents, in either the Kaiser Health Plan "S" or Blue Cross Plan "D" as attached hereto in outline form:

<u>Family Coverage</u>	<u>Blue Cross (or its equivalent) (per month)</u>	<u>Kaiser (per month)</u>
Employee Only	\$33.24	\$27.13
Add One Dependent	\$68.04	\$54.26
Add Two Dependents	\$87.90	\$78.36

At such times during the term of this Agreement the cost of the above Health Plans is increased to maintain benefits, the District contribution shall be increased by eighty percent (80%) of the premium increase.

In addition, the District shall pay \$1.00 per month, per employee covered by this Agreement toward the provision of the services of Occupational Health Service (or a comparable organization) and the Alameda County Central Labor Council Blood Bank.

2. Retirement Plan

All current retirees, as of March 31, 1977, will receive a five percent (5%) increase in pension amounts.

3. Disability Insurance

Effective September 1, 1977, the District will pay \$5.50 per month per employee for Disability Insurance Coverage.

4. Dental Plan

The District will contribute up to a maximum of \$18.91 per month toward the premium cost of the District's California Dental Service Plan for eligible employees and all that employee's eligible dependents for each month.

At such times during the term of this Agreement the cost of the above Dental Plan is increased to maintain benefits, the District contribution shall be increased by eighty percent (80%) of the premium increase.

Cost Items

Miscellaneous

1. Increase meal cost to \$5.50 effective April 1, 1978.
2. Employees who retire or voluntarily terminate after ten (10) years of service will be paid for one-third (1/3) of unused, accrued sick leave up to a maximum of ten (10) days.

RO:mp
(4/5/77)

TENTATIVE AGREEMENTS

Article I Introduction (add paragraph)

The purpose of this agreement is to set forth the working understanding between the parties affecting hours of labor, wages and working conditions and to establish a means of settling grievances, disputes and controversies between the District and its employees. Both parties recognize that the purpose of the District is to provide excellent and economical park and recreation services and facilities and to provide leadership and education in the wise use of the environment.

Article II Union Recognition, Union membership and deduction of Union dues.

- 2.3 (c) (1) An employee wishing to revoke his or her checkoff authorization may, within the seven (7) day periods between November 1 and November 7, inclusive, in 1977 and in 1978, forward a letter to the District by U. S. mail stating the desire to revoke the authorization. The District shall promptly forward a copy of this letter to the Union. The revocation shall become effective with the remittance to the Union during the following December.

The periods for revocation specified above shall be the only times during the life of this agreement that employees may revoke their authorization for checkoff. Failure to notify the District during these periods shall constitute an abandonment of any right the employee has to revoke his or her authorization during the term of this Agreement. This Agreement shall constitute the sole and exclusive notice of revocation of checkoff rights under the Union security provisions of the Agreement.

This Section 2.3 (c) (1) will become null and void upon the effective date of the Agency Shop provision (Section 2.2).

Article III Management Rights, Meeting & Confering, etc.

3.3 Meet and Confer re: Modified or New Job Classifications

- Second Paragraph: insert "and job description" after "range" in next to last line.
- Third Paragraph to read: "If agreement has not been reached by the time such meeting is adjourned then the Union shall have the right, by notice to the District between 75 and 90 days thereafter, to refer the unagreed issues to arbitration. The arbitrator so selected shall be required to follow the rules of the American Arbitration Association regarding Expedited Labor Arbitration and shall determine whether the modified or new classification is within the Field and Clerical Unit and, if so, shall select either the District written position or Union written position concerning the salary range that shall be assigned to such modified or new job classification. Such selection shall be binding upon both parties.
- Fifth Paragraph: Change the second word "sole", to "primary" and add a new sentence at the end, "Consideration may also be given to salary comparisons of positions encompassing like duties and responsibilities covered by trade union agreements in the public and private sectors."

Article IV. Discrimination

- Change the title to "Non-Discrimination".
- 4.2 Change to read: "The Union agrees to work to increase recruitment of female employees and members of minority groups. The District and the Union agree to mutual cooperation and support of the principle of affirmative action."

Article V. Union Stewards and Union Representatives

- 5.3 Change to read: "The number of Union Stewards shall not exceed one for each Zone of the District and one each for District Headquarters office employees and the Tilden Corporation Yard."
- 5.4 Change to read: "Upon the request of the aggrieved employee, a Steward or Union Officer may investigate the specified grievance, provided it is in his or her assigned work area, and assist in its presentation. The Steward or Union Officer and the employee shall be allowed reasonable time for these activities during working hours without loss of time or pay, subject to prior notification and approval of the first level of supervision outside the bargaining unit, or if the first level supervisor is unavailable, the next higher level of supervision. Such approval shall not be unreasonably withheld."
- 5.5 The District shall furnish newly-hired employees covered by this Agreement with a copy of the Agreement and with a letter, mutually agreed upon by the Union and Management, from the Union to each employee.

Article VI. Grievance Procedure - Departmental Review

6.1 Departmental Review

- (a) Second line: Change "discipline" to "disputes". Change Third line of list to read "the employee's first level supervisor outside of the bargaining unit."

- Add: (c) "Pre-Disciplinary Notice and Meeting"

In the event the District intends to discharge an employee, to impose a suspension without pay or to demote an employee, the District shall, if the employee has completed his or her original probationary period, utilize the following procedure:

- (1) The employee and the employee's steward will be given notice in writing of the proposed disciplinary action not less than five (5) calendar days prior to the effective date of the action. The notice shall set forth the reasons for the action and shall be accompanied by copies of written materials, if any, upon which the action is based.
- (2) Prior to the effective date of the disciplinary action the employee may request and, if so, shall be granted an informal hearing to discuss the proposed disciplinary action. The informal hearing shall be conducted by the employee's Department Head and shall be attended by the next immediate supervisor of the employee who is not a member of the bargaining unit covered by this Agreement. The employee may be represented by one of the following: The Union President, Vice President, Secretary, Chief Steward or Steward. The purpose of this meeting is not to gather evidence for future meetings within the grievance procedure and therefore, no record will be made. Failing reconciliation, the formal grievance procedure may be used.

6.2 (c) Step 2. After First sentence insert:

"In the event no meeting concerning the grievance has been held pursuant to Section 6.1 above, the Department Head shall meet with the grievant and a representative of the Union within seven (7) working days after receipt of the written grievance. The Department Head shall give a written response to the grievance within three (3) calendar days following the meeting held pursuant to this Step 2. In the event there has been a meeting concerning the grievance held pursuant to Section 6.1 then no meeting need be held at this Step 2 and the Department Head shall reply in writing to the grievance within five (5) working days of the date of presentation of the written grievance."

(d) The fees and costs of the arbitrator and court reporter for the first three arbitration cases decided in any 12-month period shall be paid sixty per cent (60%) by the District and forty per cent (40%) by the Union. In any additional arbitration cases decided in any such period, such fees and costs shall be equally shared by the parties hereto. Otherwise, each party shall compensate its own representatives and witnesses. The aggrieved employee and those District employees called as witnesses by the Union shall be on leave-without-pay status.

In the last sentence of Paragraph 2, change "60" to "120".

Add: (e) Expedited Arbitration. By mutual agreement the parties hereto may require the arbitrator selected pursuant to Section 6.2 (c) to follow the rules of the American Arbitration Association regarding Expedited Labor Arbitration. If such arbitrator cannot accept the matter under such conditions an attempt will be made to mutually agree on another individual or, in the event a list from the California State Conciliation Service had been utilized, the parties shall select an arbitrator from among those on the list in the inverse order that names thereon had been previously stricken.

Article VII Seniority, Layoff & Recall

7.1 (d) revised to read:

(d) An employee who does not successfully complete the probationary period of a new position, by reason of failing to meet the work standards of the new position, shall revert immediately to the position which the employee last occupied.

7.1 (e) revise as follows:

7.1 (e) (1)

The District may at any time during an employee's original probationary period, in its sole discretion, terminate the employee. Probationary termination or other disciplinary action taken during such original probationary period shall not be subject to the Grievance Procedure set forth in Article VI, except in instances where it is alleged that the District has violated the provision of Article 4.1.

7.1 (e) (2)

The District may at any time during an employee's new position probationary period in its sole discretion, demote the employee in accordance with Article 7.1 (d). Performance evaluations will be made during a new position probationary period after three (3) months of service and after five (5) months of service and such evaluations will be reviewed with the employee. Except where it is alleged that the District has failed to evaluate and review the employee's performance as set forth above, or that the District has violated the provisions of Article 4.1, a demotion during the new position probationary period shall not be subject to the Grievance Procedure set forth in Article VI. The remedy for a breach of the District duty to evaluate and review performance shall not include the permanent award of the new position.

7.5 (d) New) This Section 7.5 (a) (b) and (c) shall be inoperative at such time as State law provides Unemployment Compensation coverage for District employees.

7.6 (New) There shall be no accumulation or payment of fringe benefits during layoff.

An employee who is laid off may continue Life Insurance, Medical coverage and Dental coverage by reimbursing the District for the full cost of such benefits so long as the employee retains seniority.

Article IX Sick Leave

9.2 (c) Modify last sentence to read: Such leave is restricted to ten (10) working days in any one calendar year.

9.2 (e) New: Pregnancy and childbirth when the employee has been certified as disabled by a physician.

9.3 Add: Where the District has a reasonable basis to believe that an employee's physical condition should preclude returning to work following an absence due to illness or non-industrial injury in excess of five (5) consecutive work days, the District may require a physical examination by a physician, who is mutually agreed on by the District and the employee, at District expense. In the event mutual agreement cannot be reached, the parties shall request a reference from the Occupational Health Service.

9.8 Revise first sentence: When an employee has used all accrued sick leave, accrued vacation and all sick leave allotted from the sick leave bank and is still....(continue as is)

9.9 Sick Leave Bank

(a) All employees in the bargaining unit with unused sick leave credit as of June 1, 1977, shall contribute one (1) day of such credit to the sick leave bank.

(b) Upon written request by an employee three (3) additional days of their unused credit may be contributed to the sick leave bank each calendar year.

(c) Employees who receive payments from the sick leave bank shall be considered as on leave of absence according to Article 11.9 (a) for benefit purposes.

(d) A Committee of two (2) designated by the Union and two (2) designated by the District shall administer the program. Committee meetings shall be scheduled during the non-working time of the Union representatives. The following criteria shall control the Committee's consideration of any requests for paid time from the sick leave bank:

- (1) No employee shall be eligible until the employee has exhausted all paid time off due from the District.
- (2) The nature of the illness or injury and the medical prognosis.
- (3) The financial need of the employee.
- (4) The current balance of credits in the sick leave bank.
- (5) The current or pending demand on the sick leave bank.
- (6) The seniority of the employee.
- (7) The employee's history of sick leave use.

(e) A majority decision of the Committee shall be conclusive as to any application for sick leave bank usage. In the event of a deadlock on the Committee the issue may be submitted to the Grievance Procedure under Article VI. In the event of arbitration of the dispute the arbitrator shall be controlled by the criteria set forth above.

- 9.10 (New) A six-month employee shall accrue sick leave with full pay on a basis of one day for each month where the employee is on paid status at least one-half (1/2) of the working day of that month.

Article XI Leaves of Absence

11.1 Maternity and Paternity Leave

Add: A permanent employee, on request, shall be granted paternity leave without pay for a period not to exceed thirty (30) calendar days.

11.2 Civil Leave

Delete: "full-time:

Add: Any permanent employee, not a party to the involved litigation, who is subpoenaed as a witness in an action arising out of the employee's employment with the District during a period when the employee is on leave shall be paid at his or her regular rate for all time spent as required by the subpoena.

- 11.3 Revise 2nd sentence: For the purposes of this section, employee's family is determined as including mother, father, spouse, anyone living in a spousal relationship, sister, brother, son, daughter, legal ward, mother-in-law and father-in-law.

11.4 Military Leave

Modify last clause to read, "... , except for such pay which is in excess of their regular District pay."

11.5 Educational Leave

Increase percentage of employees who may be granted such leave to 4%.

Exclude summer sessions from this type of leave.

Requests for these leaves shall be made to the Special Leave Committee provided in 11.8.

11.7 Union Business Leave

Members designated by the Union shall be allowed, upon ten (10) calendar days notice to the District, up to ten (10) working days leave without pay each year for Union sponsored workshops, educational seminars and other Union business meetings. Such leave shall be taken in not less than eight hour increments. The total number of leave days taken pursuant to this Section 11.7 shall not exceed ninety (90) in a calendar year, provided that during the months of April through September the total number of leave days shall not exceed twenty (20) nor shall more than two (2) employees be absent at any time.

11.8 Special Leaves

- a) Requests for periods of leave not to exceed six (6) months, shall be submitted to a joint union-management committee comprised of two (2) union and two (2) management representatives which will make a recommendation to the District. In making its recommendation the Committee shall consider both the interest of the employee and the interest of the District. The Committee shall make its recommendation to the District within five (5) working days of receipt of the request and the District will make its decision within five (5) working days of the receipt of that recommendation.
- b) Requests for leave will be submitted in writing as far in advance of the leave date as possible to give the Committee adequate time to make its considerations.

11.9 Fringe Benefit Coverage During Leaves

- a) Benefit coverage shall continue with no change during the first thirty (30) calendar days of any leave under this Article XI. After thirty (30) calendar days, benefit coverage shall be suspended unless the employee chooses to reimburse the District for the costs of the benefits retained.
- b) For retirement plan purposes, leave time over thirty (30) calendar days under this Article XI shall only be credited for vesting provided the employee has ten (10) or more years of service and in no instance shall such leave time be credited for benefit calculation purposes.

11.10 Renumber 11.7 Seniority and Promotion During Leaves as 11.10.

11.11 (New) Six-month employees shall be eligible for the leaves provided by Sections 11.1, 11.2, 11.3, 11.4, 11.6, 11.7, 11.9 and 11.10.

Article XII: Hours of Work

12.1 Renumber to 12.1 (a)

12.1 (b) In the Park and Interpretation Department and/or Survey Crew revision of the work schedule to allow alternatives to the present work schedule of five (5), eight (8) hour days per week, which involve no reduction in total hours worked per pay period, will be considered by the District and the Union under the following conditions:

- (1) Only during the period March 1 through October 31;
- (2) Following submission of a plan and schedule for the work unit approved by the first level of supervision outside of the bargaining unit and the Superintendent of Operations or the Superintendent of Maintenance;
- (3) Following agreement of the Union and the District regarding application of benefits and clarification of administrative matters.

In all other departments revision of the work schedule to allow alternatives to the present work schedule of five (5), eight (8) (or seven and one-half (7-1/2) if applicable) hour days per week, which involve no reduction in total hours worked per pay period, will be considered by the parties under the following conditions:

- (1) Only as submitted after September 1, 1977;
- (2) Following submission of a plan and schedule for the work unit approved by the District;
- (3) Following agreement of the Union and the District regarding application of benefits and clarification of administrative matters.

Article XIII Wages, Overtime, etc.

13.1 (add): An employee shall receive credit for step increases for each month in which the employee is in pay status at least one-half (1/2) the normal work days in such month.

13.5 (add): Accumulation of compensating time off shall be limited to fifteen (15) days.

Article XIV. Disciplinary Actions

- 14.6 (New) Neither the District nor the Union shall make any tape recording of any grievance meeting except by mutual agreement. Neither the District nor the Union shall electronically monitor or record any employee conversation except by mutual agreement, provided, however, that this latter restriction is not applicable to regular District Public Safety Department procedures.
- 14.7 (New) At the request of an employee, a written reprimand shall be removed from an employee's personnel file after two (2) years from the date of the document, provided that no subsequent disciplinary action, (including written reprimands) concerning the same conduct, has been issued to or taken against the employee. At the request of the employee, documents relating to a suspension of ten (10) days or less shall be removed from the employee's personnel file after three (3) years from the date of the suspension, provided that no subsequent disciplinary action (including written reprimands) concerning the same conduct has been issued to, or taken against the employee.

Article XX Job Openings & Transfer

- 20.1 Add: A copy of the notice of a job opening shall be sent to the Union the day such notice is posted. In the event the District determines not to fill a vacancy it shall notify the Union in writing within sixty (60) days of the date the position becomes vacant.
- 20.2 All personnel applying for a promotional job must submit an up-to-date application to the Personnel Department to determine whether the applicant meets the minimum requirements for the position announced. Rejected applicants may grieve their rejection at the third step of the Grievance Procedure. (Remainder of 20.2 unchanged).
- 20.3 Seven (7) month list.
- 20.4 (a) Transfers
A permanent employee may request a transfer within the same classification to a different work site or unit by making written application specifying the location (s) or unit (s) desired to the Personnel Department. Such request shall remain active for a period of six (6) months. In the event a permanent vacancy arises which the District determines to fill, a selection shall be made, from among those employees who have applications on file or who have made such transfer requests within five (5) working days from the date the vacancy is posted. Vacancies created by transfers may be filled from other transfer requests or from hiring or promotional lists.
- 20.4 (b) Directed transfers may be made in accordance with the following provisions:
(1) The transfer shall be discussed at least one week in advance by the employee and his/her supervisor and by explanation of the reason for the transfer shall be given.

(2) If the transfer will create severe personal or financial burdens upon the employee, the transfer shall be considered by a Departmental Review before final action is taken. The seniority of the employee shall be among the factors in this consideration.
- 20.5 The Union shall have the right to one non-voting observer at interviews for classifications covered by the Agreement. Upon agreement of the Affirmative Action Committee, the Union observer may also serve as the Affirmative Action Observer.

20.6 (New) Promotions Outside the Bargaining Unit

- (a) An employee who accepts a position with the District outside the bargaining unit shall have the option to revert to his or her former position for a period of six (6) months without loss of seniority or other fringe benefits.
- (b) An employee who accepts a position with the District outside the bargaining unit who is rejected pursuant to Article 7.1 (e), except by reason of discharge for just cause, shall have the option to revert to the position most recently occupied prior to the promotion, without loss of seniority or other fringe benefits.
- (c) In the event of (a) or (b) above if the previously held position is occupied, dislocation of employees shall be made in the reverse order of appointments which were made as a consequence of the original promotion. If the previously held position has been abolished, the employee shall have bumping rights based on seniority to a position within the highest classification previously held and dislocations which result thereby shall be treated in the same manner.

Article XXII. Miscellaneous

22.3 Uniforms

The existing agreement between the Union and the District shall be continued in force for the term of this Agreement. The parties agree to discuss modifications to the uniform agreement. Any changes in the agreement will be implemented upon the agreement of both parties. The "grandfather clause" of the present uniform agreement will not be modified.

22.4 Health & Safety

(New) (a) The District will comply with Federal and State Health and Safety Laws and Standards applicable to the District and with District Rules and Regulations. The Parties agree to use their best efforts to ensure that all work is performed in a safe and healthful manner consistent with the requirements of the work to be performed.

(b) The Union may designate three employee representatives to the District Safety Committee.

Article XXIII. (New) Successors. The terms and provisions of this Agreement shall be binding on the successors or assigns of the respective parties to this Agreement.

Appendix A (add)

Any temporary field position for which the qualifications of six-month Park Groundspersons suffice shall be filled by six-month Park Groundspersons who are not currently working and, should none be available, then selected from the hiring pool * established for six-month Park Groundspersons provided that their wages and fringe benefit status shall be that of any other temporary employee. Six-month Park Groundspersons who desire such temporary work shall notify the District in writing of their interest upon the completion of their six-month employment. Wages shall be those of the starting step of the classification in which the employee is working.

* Hiring Pool to be 12 months long instead of 6 months.

Add to Appendix C, Retirement and Group Life Insurance:

The District shall furnish covered employees with an annual statement of the employee's retirement plan status. The District shall have the Pension Booklet revised during the fiscal year 1977-78 and prior to publication of the booklet will submit a draft copy to the Union for its review. In the event of the death of an employee, the District will inform the employee's beneficiary of the benefits to which they are entitled under the Retirement and Group Life Insurance Plans.

Appendix E

Apprentice Program Study

The District and the Union shall establish a Committee comprised of two representatives each which shall investigate and report to the Board of Directors concerning the establishment of apprentice programs which shall conform to the standards and procedures established pursuant to Section 3070 et. seq. of the Labor Code of the State of California. The parties shall avail themselves of the consulting services offered by the Division of Apprenticeship Standards of the State of California Department of Industrial Relations. The report and recommendations of the committee shall be completed by August 1, 1977. Any apprenticeship program, before it is implemented, must be agreed upon by both parties to this agreement.

Ecology Committee

A joint Union-Management Ecology Committee shall be established and shall be comprised of two(2) representatives appointed by the Union and two(2) representatives appointed by the District. The Committee shall discuss ecological issues related to District operations, including matters related to education concerning such issues.

The function of the Committee is advisory. Action of the Committee shall be by recommendation to the District which retains sole discretion over disposition of such recommendations. If disputes arise within the Committee, Committee members may present separate recommendations. Committee meetings shall be scheduled during non-working time of the Union representatives and shall take place at least once a month.

SEPARATE LETTER

Wage Controls

In the event the Federal Government imposes wage controls which would preclude or reduce any increase in wages or benefits provided by the Local 2428 agreement, the parties agree to use any exception or appeals process established in conjunction with such controls to achieve permission or approval of the increase as agreed. If legally possible all increases provided in the agreement shall be paid until the appeal is finally determined.

Seasonal Firefighters

By letter to the Union the District will agree not to employ Seasonal Firefighters for a period of time in any calendar year which exceeds by more than two weeks the fire season as declared by the State Division of Forestry. The employment period for Seasonal Firefighters, with the exception of the two week extension period, shall coincide with the fire season.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-101

April 5, 1977

ACCEPTANCE OF ACQUISITION EVALUATION ON 194 ACRES OF OAKLAND SCAVENGER COMPANY
PROPERTY FOR ESTABLISHMENT OF OYSTER BAY REGIONAL SHORELINE

WHEREAS, the East Bay Regional Park District is considering acquisition by dedication of 194 acres, more or less, known as Oakland Scavenger Company property, for establishment of Oyster Bay Regional Shoreline; and

WHEREAS, Staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation presented to and considered by the Board this date, covering 194 acres, more or less, of Oakland Scavenger Company property for establishment of Oyster Bay Regional Shoreline, is hereby accepted for filing, and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan, subject to resolution to the satisfaction of this Board, of the development cost items noted in Section II F 2 (a) through (e) of the Acquisition Evaluation.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 5th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Mary Lee Jefferds.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-102

April 5, 1977

AWARD OF CONTRACT AFTER BIDDING - PHASE 1, UTILITIES - GARIN REGIONAL PARK

WHEREAS, bidding on the project known as Phase 1, Utilities, Garin Regional Park, was duly authorized by the Board; and

WHEREAS, the call for bids was published in the Oakland Tribune, Contra Costa Times, and Daily Pacific Builder on March 16, 1977; and

WHEREAS, three timely bids were received and opened on March 31, 1977, as set forth in the following summary of bids:

PHASE 2: UTILITIES - GARIN REGIONAL PARK

FIRM NAME	BASE BID	ALTERNATES					SUB-TOTAL	SUBSTITUTE ALTERNATE			SUB-TOTAL	GRAND TOTAL
		1.	2.	2.1	2.2	2.3		3a.	3b. or 3c.			
A. V. DeBrito, Hayward	\$133,320	\$2,950	\$ 8,000	\$24,630	\$21,445	\$6,356	\$196,701	-0-	-0-	-0-		\$196,701
E. H. Morrill, Berkeley	\$170,271	\$4,720	\$10,300	(included in base bid)			\$185,291	-\$1,000	-\$1,000	-\$250		\$183,291
W. R. Thomason, Martinez	\$138,000	\$3,796	\$ 7,260	\$33,784	\$39,945	\$8,501	\$231,286	-0-	-0-	-0-		\$231,286

WHEREAS, Staff has recommended acceptance of the Base Bid plus Alternates 1, 2, 2.1, 2.2, 2.3, 3a, and 3b; and

WHEREAS, the District's Construction Management Consultant's estimate for this project was \$202,300 and the lowest responsible bid for such Base Bid and Alternates was in the aggregate sum of \$183,291 by E. H. Morrill Company, Berkeley, California; and

WHEREAS, the sum of \$250,000 is appropriated in the FY 1976/77 Budget (Account No. 34-95) for this and other projects, \$85,956 thereof having heretofore been allocated to other projects, it therefore being necessary to appropriate additional funds for such project;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bid by District Counsel, the President, Secretary and General Manager are each hereby directed to take all appropriate action to award a contract to such low bidder in accordance with this resolution and the call for bids in the amount of the low bid; and

BE IT FURTHER RESOLVED that the project is assigned Project Account No. 34-95 and an additional sum of \$30,000 (which includes a \$8,753 contingency allowance) is hereby appropriated from Budget Account No. 29-20-309 Supplemental Land Fund Reserve to Project Account No. 34-95.

Moved by Director Howard L. Cogswell, seconded by Director Paul J. Badger, and adopted this 5th day of April, 1977, by the following vote:

FOR: Directors Paul J. Badger, Howard L. Cogswell,
Walter H. Costa, William F. Jardin, Harlan R.
Kessel, and John J. Leavitt.

AGAINST: Directors none.

ABSENT: Director Mary Lee Jefferds.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-103

April 5, 1977

AUTHORIZATION TO ACCEPT GRANT DEED OF EASEMENT ALONG BOLLINGER CANYON ROAD
FROM MARY ELIZABETH PARKER

WHEREAS, the Contra Costa County Planning Department approved Minor Subdivision 48-76 subject to the dedication by the subdivider of approximately 2,000 linear feet of trail corridor, 10 feet wide, south of and adjacent to Bollinger Canyon Road in Moraga; and

WHEREAS, all environmental requirements and mandatory referrals on this project have been handled through and completed by the Contra Costa County Planning Department in the processing of Minor Subdivision 48-76; and

WHEREAS, Mary Elizabeth Parker, owner of the property which is being subdivided, has executed a Grant Deed conveying easement interest in the aforementioned trail corridor to the East Bay Regional Park District; and

WHEREAS, the acceptance of this Grant Deed of easement by the Park District is important to the future of the Park District's Regional Trails System;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to accept the Grant Deed of Easement tendered to the District by Mary Elizabeth Parker in the form presented to the Board this date, and the General Manager is directed to cause it to be recorded in the Official Records of Contra Costa County.

Moved by Director Harlan R. Kessel, seconded by Director Howard L. Cogswell, and adopted this 5th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Mary Lee Jefferds.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-104

April 5, 1977

APPROVAL OF DEMANDS - March 31, 1977

BE IT RESOLVED that the items set forth and presented in the Demand Register for the period ending March 31, 1977, excepting therefrom Check No. 37202 to Vista Productions for \$1500 (which is removed), totaling \$959,684.30, are hereby approved and authorized for payment.

Moved by Director Paul J. Badger, seconded by Director Harlan R. Kessel, and adopted this 5th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Mary Lee Jeffferds.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-105

April 5, 1977

RESOLUTION OF SUPPORT OF SB 503 - INTRODUCED BY SENATOR NEJEDLY

WHEREAS, Senator John A. Nejedly has introduced legislation referred to as SB 503 concerning the appropriation of \$2,500,000 for the acquisition and development of recreational trails on specified routes in Alameda, Contra Costa, El Dorado, Placer, Santa Clara, Santa Cruz, and Los Angeles Counties; and

WHEREAS, this Board has reviewed the objectives and provisions of such proposed legislation and desires to support same;

NOW, THEREFORE, BE IT RESOLVED that this Board finds that adoption of SB 503 would be in the best interests of the citizens of the East Bay Regional Park District and would serve to promote the objectives and purposes for which the District was formed, and accordingly, the East Bay Regional Park District does hereby support such legislation and urges its enactment;

BE IT FURTHER RESOLVED that the General Manager is hereby directed to communicate a true copy of this resolution to all of the state legislators whose districts coincide with the territory of the East Bay Regional Park District, and to the Governor.

Moved by Director Paul J. Badger, seconded by Director Walter H. Costa, and adopted this 5th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Mary Lee Jefferds.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-106

April 5, 1977

RESOLUTION OF SUPPORT OF AB 743 - INTRODUCED BY ASSEMBLYMAN KNOX

WHEREAS, Assemblyman John T. Knox has introduced legislation referred to as AB 743 concerning partial reimbursement by the State to local agencies for right-of-way and relocation costs associated with the Corps of Engineers Wildcat San Pablo Creek Project, North Richmond Area, and authorizing the State to bear 50% of the none federal recreation cost; and

WHEREAS, this Board has reviewed the objectives and provisions of such proposed legislation and desires to support same;

NOW, THEREFORE, BE IT RESOLVED that this Board finds that adoption of AB 743 would be in the best interests of the citizens of the East Bay Regional Park District and would serve to promote the objectives and purposes for which the District was formed, and accordingly, the East Bay Regional Park District does hereby support such legislation and urges its enactment;

BE IT FURTHER RESOLVED that the General Manager is hereby directed to communicate a true copy of this resolution to all of the state legislators whose districts coincide with the territory of the East Bay Regional Park District, and to the Governor.

Moved by Director Paul J. Badger, seconded by Director Walter H. Costa, and adopted this 5th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Mary Lee Jefferds.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-107

April 5, 1977

IN SUPPORT OF FUNDING AN URBAN FORESTRY RESEARCH PROGRAM TO BE UNDERTAKEN BY
THE PACIFIC SOUTHWEST FOREST AND RANGE EXPERIMENT STATION

WHEREAS, the Congress is currently reviewing the proposed Federal Budget for Fiscal Year 1978; and

WHEREAS, one proposal being considered is an increase of \$600,000 in the budget of the Pacific Southwest Forest and Range Experiment Station for the purpose of undertaking research in the field of Urban Forestry; and

WHEREAS, the East Bay Regional Park District believes that such research would be of great benefit to itself, the community, and the nation;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors supports the proposed Urban Forestry research and recommends approval of a \$600,000 increase in the FY 1978 budget of the Pacific Southwest Forest and Range Experiment Station for the purpose of engaging in Urban Forestry Research.

Moved by Director Paul J. Badger, seconded by Director Walter H. Costa, and adopted this 5th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Mary Lee Jefferds.

April 19, 1977

April 19, 1977

MINUTES
REGULAR MEETING
EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS

2:00 p.m.

Tuesday, April 19, 1977

BART Headquarters
800 Madison Street
Oakland, California

A. ROLL CALL

An Executive Session had been called for 1:00 p.m. with Alan Pendleton of BCDC and Attorney Jack Rogers regarding land acquisitions. Following the Executive Session, which lasted until 2:10 p.m., President John Leavitt called the regular meeting of the Board of Directors of the East Bay Regional Park District to order a few minutes thereafter. The meeting was held in the Board Room at BART Headquarters, Oakland.

Present: All Directors were present: Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.

Staff: General Manager Richard C. Trudeau, Asst. General Manager Jerry D. Kent, Controller Ralph Meilandt, Chief of Administration Robert Owen, Department Heads: Hulet Hornbeck, Chief of Acquisition; Christian Nelson, Chief of Parks and Interpretation; Lewis Crutcher, Chief of Planning and Design; Larry Olson, Chief, Public Safety; Mrs. Linda Chew, Development Administrator; Mac Slee, Chief of Public Information; and Staff Members: Grace Lewis, Bill Gries, Donald Harms, Harold Luhtala, Jack Rogers, Tom Lynch, and Bob Flasher. District Counsel: Deanna Lyon (Orr, Wendel & Lawlor).

Visitors: Visitors who signed the Log included Sharon Stephenson (Leslie Salt Co.), Jack Hill, George Cardinet, Lita Mather, Lucretia Edwards, Mary Ann Benson, Norman Sims, Richard Cole, and Alan LaPointe.

B. APPROVAL OF AGENDA

The agenda for the meeting was approved by unanimous vote, on motion of Director Kessel, seconded by Director Jefferds.

C. APPROVAL OF MINUTES

The Minutes of Tuesday, April 5, 1977, were approved by unanimous vote, on motion of Director Jefferds, seconded by Director Badger, subject to typographical corrections.

D. BUSINESS BEFORE THE BOARD

1. Presentation by Huey Johnson and Sally Ewing on "THE TRUST FOR PUBLIC LAND"

Trust for Public Land President Huey D. Johnson was unable to attend the meeting due to other commitments and Sally Ewing made the presentation. Ms. Ewing in her opening comments said she appeared before the Board once before as an Executive Member of the Eugene O'Neill Foundation to save Tao House, giving credit to the Board for its part in saving the home. Ms. Ewing said that the house is now being renovated.

Ms. Ewing explained the purpose of the Trust for Public Land (TPL) as a nonprofit national conservation organization dedicated to the acquisition and preservation of open space, particularly in urban areas, headquartered in San Francisco with offices in Florida and the New York area. Ms. Ewing said TPL has a very impressive track record and sited numerous acquisitions for public use. Significant to the San Francisco

Bay Area and the Golden Gate National Recreation Area were the Wilkins Ranch, the Wheelwright Ranch, Sharon Ranch, Olds Ranch, and Oakwood Valley. Ms. Ewing said TPL would like to start working cooperatively with the East Bay Regional Park District.

Included in the presentation was a series of slides of the lands acquired and turned over to other public agencies for open space and park purposes. Ms. Ewing suggested TPL's involvement would be very helpful to the District in achieving the Master Plan goals, due to the fact that property values are inflating monthly. TPL could tie up the land, Ms Ewing said, until such time it is required by the District.

Inviting questions from the Board, Director Cogswell asked if there was a schedule or fixed amount for the "TPL Support Fund". Ms. Ewing said they had a very rough formula which is worked out in each acquisition and goes into a fund to assist in future acquisitions, and is carefully controlled. Director Cogswell also asked what their secret was in acquiring the properties at a reasonable level. Ms. Ewing said that this was simply being in the right place at the right time and a competent staff able to work with land owners with complete confidentiality.

Director Cogswell also asked what assurance TPL needs before embarking on say a one million dollar acquisition. Ms. Ewing said although they do not require a support letter, they would like to have one, but that they risk tremendous amounts on a piece of property because it makes sense to their staff that it should be held in the public interest. When land clearly needs to be saved, TPL steps in, Ms. Ewing said.

President Leavitt asked how the purchase price of a piece of land is determined. Ms. Ewing said they have an MEI appraisal and if a public agency has shown interest, they request that agency also to have an appraisal made. Ms. Ewing said they also attempt to get an outright donation, but when that is not possible they attempt to obtain a bargain sale. As a nonprofit organization, Ms. Ewing said they have very strict regulations and are watched and audited very closely.

President Leavitt suggested that staff and TPL's talented group work together in some of the District's goals and noted that it appears that TPL is making lands available to public agencies at about 6% which is not a bad realtor's fee. Ms. Ewing concluded her presentation with the hope that they could be of some assistance to the District's land acquisition program.

2. CONSENT CALENDAR

Two resolutions on the Consent Calendar were approved by unanimous vote of the Board, on motion of Director Jefferds, seconded by Director Costa. These were Items "a" and "d", as noted below.

a. Award of Bid for Trout and Catfish.

The Consent Calendar motion awarded the contracts for supplying the District's annual requirements for Rainbow Trout and Channel Catfish to Mt.Lassen Trout Farms (\$1.30 per lb) and Big Daddy's Channel Catfish (\$.099 per lb), respectively. Resolution No. 1977-4-109 covers the Board action, a copy of which is attached to these Minutes for reference.

b. Award of Refuse Collection Contracts

Union Local 2428 President Bob Flasher had requested and was granted permission to speak on the Refuse Collection Contracts.

Mr. Flasher stated that in his opinion there were two alternative methods of handling garbage collection inhouse at a savings to the District. Mr. Flasher presented figures which indicated that although the first year cost may be greater than the outside garbage collection service, in subsequent years there would be an approximate 30% saving, plus the fact that District employees, who take pride in their parks, would be doing a quality job with much less damage.

Mr. Flasher suggested that since his proposal indicates that this kind of program can be done in house at a saving to the taxpayers, the Board delay making a decision on the garbage collection contract. President Leavitt commented that the Board had asked for this type of information when the contract was let last year and that it was appropriate for the Board to defer this to staff for their comment and report back to the Board at a subsequent meeting.

Director Kessel stated that he has seen some of the damage that the garbage trucks are doing to the asphalt and asked if there was a difference between the truck proposed to be purchased and that used by the scavenger company. Mr. Flasher said there was not, but that there would be a big difference in the care in driving.

The matter was tabled to a later Board meeting.

c. Approval of Agreement with Local 2428 AFSCME.

This item was deleted from the agenda, inasmuch as the agreement with Local 2428 AFSCME was approved at the April 5, 1977 Board meeting by Resolution No. 1977-4-100. No further action was required.

d. Approval of Memorandum of Understanding with Police Association.

This was approved by the Consent Calendar motion. Resolution No. 1977-4-110 covers the Board action, a copy of which is attached to these Minutes for reference. The contract provides for a 6.5% increase in wages. The total cost with fringe benefits was 7.16%, equal to Local 2428, which was indicated in the information packet to the Board by the General Manager.

e. Approval of Salary and Group Benefits for:

- (1) Management Employees
- (2) Confidential Employees
- (3) Seasonal Employees

This item had been taken off the Consent Calendar for discussion at the request of Directors Badger and Cogswell.

Director Cogswell noted that while the cover material indicates the percentage ranges increase for several ranges it does not mention the percentages for Grades 3, 2 and 1. Controller Meilandt advised that these averaged about 8%.

Director Badger asked if the salary structure for management in the Board packet was new or based on the old structure and commented that it appeared that the increases would be almost automatic from one grade to another. Mr. Badger said the Board perhaps may be building something into the salary scale that it does not want to do. He also noted that no reference is made to the fact that grades "f" and "g" are for outstanding performance, requiring Board approval. Director Badger felt that the new chart might be misconstrued.

Director Jardin said it was agreed by the Finance Committee that the salaries reflect the cost of living and were based on the Arthur Young salary structure. President Leavitt also explained that the inflationary factor was applied to the Arthur Young salary structure. Director Kessel again suggested that merit increases from one grade to another should be variable to reflect the variations that there must be in people and their performance. Director Kessel said that the increases proposed for management, confidential, and other employees appear to be consistent with what was just given to Local 2428 and with past years.

Director Badger said he was not opposed to the salary schedule, but felt that the resolution required clarification to indicate that the steps are in accordance with the Arthur Young study. Director Cogswell suggested that in the tabulation of backup material it should always indicate that steps "f" and "g" are for outstanding performance and require Board approval.

Counsel Lyon added some notations to the proposed resolution to indicate that the salary steps were based on the Arthur Young salary structure. As this resolved Mr. Badger's concern, he moved for approval of the three separate resolutions. Director Cogswell seconded the motion. Accordingly, Resolution Nos. 1977-4-111, 1977-4-112, and 1977-4-113 were adopted by unanimous vote. 111 covers management and middle management salary increases, 112 covers confidential employees, and 113 covers seasonal employees. Copies of said resolutions are attached to these Minutes for reference.

In concluding the discussion on the salary increases, President Leavitt suggested that next time the Board be given a broader span of time in which to deal with management and middle management salaries and group benefits.

3. REPORTS

- a. Park Advisory Committee reports by Chairman Larry Milnes and Subcommittee Chairpersons; Approval of Goals and Objectives; and Adoption of Revised Park Advisory Committee Operational Guidelines:

Following introductory comments, Larry Milnes, Chairman of the Park Advisory Committee, had each of the committee members present at the meeting introduce themselves. Mr. Milnes stated that in an official sense this was the first annual report of this committee, although it was the third one presented to the Board.

Mr. Milnes stated that the committee has now completed a full year of operation as the Park Advisory Committee, with the charges assigned to four primary subcommittees and one short term committee for Parkland Naming which had one specific charge to handle. Mr. Milnes said that this next year they will be operating with the four subcommittees, realigning them with the new members and that the Parkland Naming Subcommittee will be carried on by the Parkland Use Subcommittee headed by Mary Ann Benson.

Mr. Milnes said that the primary activities carried on this year has resulted in completion of three of the charges adopted in October, 1975. Those charges were, Mr.

Milnes said, the volunteer program, naming of park features, and evaluating the progress and implementation of the Tyler survey. Mr. Milnes said the upcoming June 6 meeting will be an orientation and review meeting and invited the Board Members to attend as it would provide a good opportunity to meet with the committee and for the new members to meet the Board.

Mr. Milnes said the committee was a very enthusiastic, real hard working group, which makes his task more difficult as he tries to keep up with a high schedule of interest and activity. Mr. Milnes reported that a PAC member now attends Board meetings, reports back to the committee on major items and gives the committee a better insight of what the Board Members concerns are by their individual comments and actions.

Another program undertaken, Mr. Milnes said, is to have two members visit two of the more active parks within the system and report back to the committee both in writing (by means of a check list questionnaire) and orally on the park, its needs and special features. Having committee members become familiar with at least two parks in this way will be an additional valuable resource, Mr. Milnes said.

Four vacancies still existed on the committee, Mr. Milnes said, and asked that the appointments be filled in order that the committee can function with full membership.

Subcommittees listed on the agenda to report were as follows:

- (1) Capital Improvements - Kay Kerr (Dave Way reporting)
- (2) Parkland Naming - Dave Way
- (3) Master Plan Review - Lucretia Edwards
- (4) Public Safety - Luther Linkhart
- (5) Parkland Use - Mary Ann Benson.

Mary Ann Benson was the first chairperson to report and stated that the members of the Parkland Use Subcommittee were Barbara Batten, Irene Graff, Phillip Holmes, Lita Mather, Jo McLelland and Joanne Robinson. Ms. Benson said she became chairperson in January when Tom Schweser resigned, continuing the work of the committee and the work of other committees no longer functioning. These concerned school fees, which was adopted by the Board, the volunteer program, which was also adopted by the Board, and review of the fee schedule for interpretive services for out of district groups and special program uses.

Ms. Benson said they have also interviewed many interpretive staff members regarding docent and teacher training programs and plan to continue this with an evaluation of the school fee policy into the next year. They have a special interest in the Interpretive Department, Ms. Benson said, and what can be done to increase educated parkland use. In a concluding statement Ms. Benson said she appreciated the help given by staff and looked forward to continuing with the good relations.

Lucretia Edwards, who had just recently taken over the chairmanship of the Master Plan Review committee, reported that this committee was also the Master Plan Implementation committee, so the wording in the Board packet needed to be changed to eliminate the words "of Implementation Committee". Director Cogswell suggested that it would be appropriate to change the name of the committee and it was agreed that this subcommittee be designated simply "Master Plan Committee". President Leavitt said this gives the subcommittee carte blanche. Ms. Edwards responded that the committee was ready to take on the assignment.

In reporting what the subcommittee had done, Ms. Edwards said she could not truly say they have achieved any of the goals to the point where they could say its done and over with, that these will be continuing responsibilities for a long time to come.

Ms. Edwards said that for the benefit of the new members and as a refresher for the other members of PAC, the Master Plan will be reviewed and explained at the June 6 session. Observation of the parks by two committee members was another assignment to acquaint everyone with the parks and to come back to the committee with a comprehensive report, Ms. Edwards said. This program, she said, will be very helpful to the Master Plan Committee as it will build in an awareness of how the Master Plan is working.

Ms. Edwards stated that Page 44 of the Master Plan indicates that the Plan should be reviewed bi-annually, something which has not been done and which they propose to do after the June 6 review. Ms. Edwards said the Master Plan was a plan for acquisition and that some time in the future there is going to have to be another Master Plan for the development and management of these lands. What happens after 1982, she asked, and said this was something they were going to try to project.

The committee is interested on how the Roberti and Proposition 2 funds will be used and is working closely with the Capital Improvements committee on that, Ms. Edwards said, which also is going to be a continuing responsibility. Ms. Edwards noted a shift in the balanced parkland figures in West Contra Costa County to the eastern side, so some readjustments may be necessary on the balances originally established in the Master Plan.

Ms. Edwards said her committee was not involved in the Ridgeland study and stated that in her opinion it was a capable, technical document, but gave no help to the ranchers to save their lands. Her committee will be making a close study of the Hayward Shoreline, as well as the Wildcat Canyon area this coming year.

President Leavitt commented that the Ridgeland Study did indicate the importance of grazing to those lands and that any program to retain the lands should address itself to the importance of grazing. Director Cogswell stated that the District is approaching the five year point of the Master Plan and that it would be quite appropriate for the committee to come forward with any suggestions or changes to the plan, so that the direction can be corrected, if need be. Mr. Trudeau said the Master Plan had been reviewed some time ago and at that time it was recommended no change be made in the Master Plan, but that another review was in order.

Luther Linkhart was the next chairperson to report, as Chairman of the Public Safety Committee. Mr. Linkhart noted the enthusiasm of his committee and the fact that one member has become so involved that she has applied to become a reserve officer. One objective of the committee, Mr. Linkhart said, was to act as part of Citizens Advisory Committee to the Arthur Young Model Police Planning Study, which has taken a lot of their time. A number of meetings on the Study have been held but they have not been able to complete their mission, Mr. Linkhart said, and that another meeting is scheduled for this coming week.

On the objective to study and recommend on interdepartmental communication and cooperation within the District related to the safety of the public, Mr. Linkhart said the committee has been concerned since its inception about interdepartmental communication, but not nearly as concerned as they were a year ago. Although they have not made any formal report on the subject, the committee feels that interdepartmental communications at the staff level in the District have improved tremendously in the area of public safety. Mr. Linkhart said management is to be commended for that. Mr. Linkhart said his committee intends to look into the aspect of whether communications has improved for the field personnel as well.

Visibility and availability of other park personnel, other than public safety officers, to the public was of some concern to the committee, Mr. Linkhart said. This also has

improved and park employees are much more evident than they have been in the past. That is a very good thing, he said.

They have not gotten very far with alternative methods for policing isolated parks and although the committee has looked at methods of communication and subcontracting for security services, they do not have a recommendation to make at this time, Mr. Linkhart said. As a committee they have not gotten involved in the budget priorities at all, he said.

President Leavitt asked what the committee restricted itself to "isolated" parks. Mr. Linkhart said because the central parks are adequately policed, but with the limited public safety personnel it is almost impossible for them to cover more isolated parks. Mr. Linkhart assured Director Jefferds that cooperative arrangements with other jurisdictions has been taken into consideration in the Arthur Young study. Director Cogswell suggested that the cooperative arrangements with other agencies not be limited to isolated areas, that it might be more appropriate for this type of arrangement cover the close-in parks, where other types of public safety services are immediately adjacent.

The Board suggested that under Objective "c. Study and recommend alternative methods of policing isolated parks", the word isolated be deleted, and that the committee look at this in the broader sense. Mr. Linkhart said the committee was willing to do that.

Inasmuch as both Kay Kerr and Dave Way were not present to report on Capital Improvements, Mr. Milnes referred the Board to Kerr's written comments which had been included in the Board packet. Director Kessel said that he had a special interest in the reference to removing ORV parks in the geographical region is well worth discussing before the entire Board. Mr. Kessel hoped that this could be discussed by the Board at an early date. Director Jefferds asked if the items listed in the Kerr report will be presented to the Board by PAC as a recommendation. Mr. Milnes said this has been an expectation of PAC. Mr. Kent said that this would be integrated into the next financial projections.

Director Cogswell said that he disagreed with Item C suggesting that all planning costs be treated equally and assigned to general administration, that it was important to know the cost of a park, from its first cost of planning and acquisition through its operation year after year. Director Cogswell also questioned Items D and E with Assistant General Manager Jerry Kent explaining that these were included in the financial projections. Mr. Milnes also commented that the Board was not expected to act on the recommendations at this time, but simply outlining some of the things the committee has done.

On Parkland Naming, chaired by Mr. Way, Mr. Milnes said has been completed and that this committee has now been emerged with Parkland Use.

At this point in the reports, Mr. Way arrived and Director Cogswell asked if the subcommittee would be ongoing and if so, can the Board expect recommendations for naming of parks yet to be acquired. Mr. Way said it has been operating as an on-going committee and that there has been some talk about this aspect being an on-going function of the Master Plan subcommittee since it seems to relate as much to that area as any other. One important factor is that the committee needs to be larger to get a better cross section of ideas and responses, Mr. Way said. Director Cogswell said he had specific concern about the naming of a 4000 acre park in southern Alameda County which has never had a name assigned to it. Director Cogswell suggested that this should be considered as soon as possible by the subcommittee.

Mr. Way said the committee would be happy to take on the assignment.

On completion of the subcommittee reports, Director Jefferds moved for adoption of the proposed resolution of revised goals and objections of the Park Advisory Committee, as well as the operational guidelines. Director Cogswell seconded the motion. Accordingly, Resolution Nos. 1977-4-114 and 1977-4-115 were adopted by unanimous vote, copies of which are attached to these Minutes for reference.

In a concluding statement Mr. Milnes said it was a pleasure for himself and for the committee members to be involved with the District in the way they are and urged the Board to keep on with the quality appointments that it has been making to the committee.

b. 1977/78 Finance Committee Report

- (1) Confirmation of engagement of Coopers & Lybrand for Fiscal Year 1976/77 Audit at cost of \$12,000.

Based on the information submitted in the Board packet and the recommendation of the Finance Committee, Director Jardin moved for authorization to enter into an agreement with Coopers & Lybrand for the 1976/77 Audit. Director Badger seconded the motion. Accordingly, Resolution No. 1977-4-116 was adopted by unanimous vote, a copy of which is attached to these Minutes for reference.

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- (2) Capital Projects for 1977/78.

General Manager Trudeau covered this item and stated that it was submitted to the Board for comment before the Finance Committee acts on the projects to be included in the budget for this fiscal year.

President Leavitt thanked the staff for putting the information together and with the District's limited staff and limited funds to be able to accomplish the items that are listed is an Herculean effort. Chief of Planning and Design Lewis Crutcher was confident the capital projects could be accomplished this fiscal year.

4. OPERATIONS

- a. Approval of District's Plan in the Event of a Disaster.

Chief of Public Safety Larry Olson introduced Bill Hildebrand, recently retired from the Alameda County Sheriff's Department where he was the division chief in charge of all emergency and disaster preparedness functions. Mr. Hildebrand, Mr. Olson said, is well known to the District for his help in obtaining about \$3 million in aid as a result of the eucalyptus tree freeze a few years ago. Mr. Olson said that Mr. Hildebrand prepared the Plan and was present to answer any Board questions.

Mr. Hildebrand advised that all governmental agencies are required by law to participate in a disaster program and what the document does is to provide a basic emergency operations plan. It's a policy document that states the problem,

establishes the organization and assigns responsibility. Mr. Hildebrand reviewed each of the three aspects of the Plan.

Subject to minor changes in the wording of the draft resolution, Director Jefferds moved for approval of the Emergency Operations Plan. This was seconded by Director Cogswell. Accordingly, Resolution No. 1977-4-117 was adopted by unanimous vote, a copy of which is attached to these Minutes for reference.

General Manager Trudeau advised that most of the staff has gone through basic first aid training and that the management people are also scheduled for first aid training soon. Mr. Trudeau invited the Board Members to be included in the program. It was agreed that the training would be valuable to everyone even without an emergency.

5. FINANCE

a. Approval of Demands.

On motion of Director Kessel, seconded by Director Costa, the Demands for the period ending April 19, 1977, were approved by unanimous vote. Resolution No. 1977-4-123 covers the Board action, a copy of which is attached to these Minutes for reference. As noted in the resolution, a \$75.00 warrant was cancelled, which will be reflected in the next Demand Register.

b. Acceptance of Financial Statement (pre audit)

After review with the Controller the Financial Statement for the period ending March 31, 1977 (before audit) was accepted and ordered filed. A copy of said Operating Statement is on file at the District Headquarters.

c. Approval of Proposition 2 Applications for Alameda County Projects.

General Manager Trudeau reported that the status of Proposition 2 funding changes from day to day, with the latest proposal being a 15/85% split between the cities and the East Bay Regional Park District, East Bay Municipal Utility District and the Livermore Area Recreation and Park District. This formula, Mr. Trudeau said, presently has the support of seven entities and requires ten to pass.

Director Jefferds commented that the Emeryville shoreline project should be viewed in the larger context and the word "Emeryville" might be misleading in the proposed resolution. It was the decision of the Board to note this as the Northern Alameda County Shoreline which would encompass Emeryville, Berkeley and Albany. Director Jefferds also commented on the tremendous support of Supervisor Bort for the EBRPD to share in the Proposition 2 funds.

Director Jefferds moved to support the Alameda County Board of Supervisors position for distribution of Proposition 2 funds. Director Jardin seconded the motion. Accordingly, Resolution No. 1977-4-118 was adopted by unanimous vote, a copy of which is attached to these Minutes for reference.

President Leavitt did note that the Northern Alameda County shoreline project is down the road and that perhaps it might be better to use the funds on two other shoreline

projects in the county. However, Directors Kessel and Jefferds felt that in order to get the support needed some funding had to be earmarked for the Emeryville-Berkeley-Albany shoreline area. Director Cogswell also agreed that a portion of these funds should be earmarked for use in this area somewhere, whichever can be managed, that it is included in the District's Master Plan. Director Jefferds also stated that it was important for these cities to know of the District's recognition of their needs in this regard, and a very tangible response.

General Manager Trudeau also commented that the chances of spending these funds in that area are slim, but that from a practical standpoint it is a statement of good will and gives the District those funds to spend in the coming year. Director Jefferds also noted pending legislation which may assist in the development of the Northern Alameda County shoreline and that it is important that the District show its concerns about this resource.

Director Cogswell asked if the District is unable to use these funds in the shoreline area this year, will they be available for the District in the future. General Manager Trudeau responded that they would be available and noted that 1974 funds are still available for District use in 1977, but that after 1978 if the District hasn't spent it, the District loses 10% each year.

Director Badger also commented that \$10,000 had been earmarked for top soil for the San Leandro land fill area. District Architect Donald Harms explained that the District staff is talking with various agencies on the use of sludge and desalting of flood control basins. Mr. Harms said there were no park sites where, as a practical matter, good top soil is available. Mr. Badger said he mentioned this because he has seen some of the top soil companies make topsoil. Mr. Harms said every angle is being studied.

President Leavitt noted that another resolution to approve applications for grant funds was required. Director Jefferds moved to authorize filing the grant applications. This motion was seconded by Director Costa. Accordingly, Resolution No. 1977-4-120 was adopted by unanimous vote, authorizing filing of applications for Proposition 2 funds for the following projects:

San Leandro Bay Regional Shoreline - Development	\$200,000
Garin Regional Park - Development	\$200,000
Northern Alameda County Shoreline - Development	\$139,000
(Emeryville, Berkeley, Albany)	

A copy of said resolution is attached to these Minutes for reference.

Director Jefferds also moved for adoption of a resolution of appreciation to Supervisor Bort for the tremendous support he gave so that some of the Proposition 2 funds would go for regional park projects. Director Cogswell seconded the motion. Accordingly, Resolution No. 1977-4-121 was adopted by unanimous vote, a copy of which is attached to these Minutes for reference.

E. ADDENDA TO AGENDA

As an addenda item, General Manager Trudeau referred to Legislative Advocate Mike Manley Manley's letter requesting District support of AB 1411 (Rosenthal), which will be

heard on April 26. Mr. Trudeau questioned the \$5 million earmarked in the bill to go to the California Water Plan and wondered if it had any bearing on the peripheral canal. Director Jefferds suggested that the Board put off endorsement of the bill until a clarification is received on the use of the \$25 million for recreational development. It was suggested that a direct statement from Assemblyman Rosenthal might be in order before the Board endorses the bill. The General Manager said he would proceed on this basis.

General Manager Trudeau also noted that a five year pin was due to be presented to Controller Meilandt that that this would be presented to him at the next meeting.

F. COMMUNICATIONS

General Manager Trudeau noted a Special Districts meeting in Detroit July 22-24 and suggested that if any of the Directors plan on going to this meeting it is important to get some indication to the Finance Committee so that it can be included in the budget.

Mr. Trudeau also noted the CPRS Legislative Conference in Sacramento on May 19-20. Directors Badger, Jefferds and Kessel indicated that they propose to attend that conference. Mr. Trudeau suggested that the legislative committee meet. Mr. Kessel said there were a number of items to be discussed and suggested that an early meeting be arranged.

Mr. Trudeau also referred the Directors to Gary Tate's letter regarding the weekend meeting in the Monterey-Carmel area, April 29-30. Four of the Directors planned to attend and necessary reservations will be made through Mr. Tate.

G. COMMENTS: GENERAL MANAGER, BOARD, PUBLIC

Director Kessel advised that the Bay Area Air Pollution Control District has issued a legal opinion that they would have some control over pollution by ORV's and would have some interest in whatever is done in this connection by the District. Director Kessel passed the letter to the staff. President Leavitt suggested that a copy be sent to the Park Advisory Committee as well for their review.

Director Costa commented on the rash of letters received on the Las Trampas-Mt. Diablo Trail, both pro and con, and felt that it would be important to hold another public hearing on the matter. Mr. Trudeau said it was important to hold another public hearing, but that it will not be held until everything is in order and all the necessary preliminary work has been done. A whole new strategy is required, Mr. Trudeau said, and a new plan of attack is needed before another public hearing of any kind is held on any controversial subject. The Trail is a controversial subject, Mr. Trudeau said.

Director Jardin complimented the Interpretive Department staff for their excellent annual report which had been distributed to the Directors. Director

Jardin moved for adoption of a resolution of appreciation to former Director Blumberg. This motion was seconded by Director Cogswell and by the other Directors. Accordingly, by unanimous vote, Resolution No. 1977-4-122 was adopted, a which of which is attached to these Minutes for reference. President Leavitt said that the resolution would be presented to Mr. Blumberg at the dinner event Thursday evening, April 21.

Director Jardin also noted that the Bay Area Park and Recreation Commissioners' Council was having a dinner meeting at the Hayward Senior Citizens Center on Friday, April 22, and urged other Directors to attend. The Hayward shoreline was the subject of the meeting, Mr. Jardin said.

Director Kessel, referring to the communications, asked that a copy of the response to Will Siri regarding Wildcat Canyon be sent to him. Also referring to the communications, Director Kessel nominared Carol Kramer as the letter writer of the month for her interesting letter about the proposed horse trail.

President Leavitt asked that the Controller provide the Directors with a report on the average an nual yield on investments. Controller Meilandt said he would do this.

President Leavitt noted that a drawing of the proposed headquarters expansion was on display. General Manager Trudeau said that this was something that the Finance Committee will have to consider at the budget session, and that it was proposed to move the Development office from Leimer to the main office. The subject of the Board Room expansion was also brought up. This too will be considered by the Finance Committee.

Before the meeting adjourned, Norm Sims of the East Bay Area Trails Council presented 26 sheets of petitions from District residen ts approving and endorsing the trail from Mt. Diablo through the San Ramon Valley and requesting that access to the Corduroy Hills area from the end of Camille Avenue be provided, as well, and that there was no need for any staging areas in the west side of the Valley. Mr. Sims also commented on the public hearing held at Acalanes High School regarding the Briones proposal.

H. ADJOURNMENT

As there was no further business to come before the Board, the meeting adjourned at 5:30 p.m.

Respectfully submitted,

Harold R. Luhtala, Secretary

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-109

April 19, 1977

AWARD OF CONTRACT AFTER BIDDING - SUPPLYING RAINBOW TROUT AND CHANNEL CATFISH

WHEREAS, bidding for the District's annual requirements for supplying Trout and Channel Catfish was duly authorized by the Board; and

WHEREAS, the call for bids was published in the Oakland Tribune and Hayward Daily Review on December 10, 1976; and

WHEREAS, three timely bids were received and opened in public on December 30, 1976, as set forth in the following summary of bids:

Mt. Lassen Trout Farms, Rainbow Trout.....\$1.30/lb.

Calaveras Trout Farm, Inc., Rainbow Trout.....\$1.35/lb.

Big Daddy's Channel Catfish, Channel Catfish...\$0.99/lb.; and

WHEREAS, staff recommends the acceptance of the low bid for both Rainbow Trout and Channel Catfish; and

WHEREAS, the lowest responsible bids were \$1.30/lb. for Rainbow Trout by Mt. Lassen Trout Farms, and \$0.99/lb. for Channel Catfish by Big Daddy's Channel Catfish; and

WHEREAS, funds for the District's annual requirements for these species of fish are provided in the budget for fiscal year 1977/78 under Account No. 5-05-556;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bids by District Counsel, the President, Secretary and General Manager are each hereby directed to take all appropriate actions to award a contract to such low bidders in accordance with this resolution and the call for bids in the amount of the low bids.

Moved by Director Mary Lee Jefferds, seconded by Director Walter H. Costa, and adopted this 19th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-110

April 19, 1977

AUTHORIZATION TO EXECUTE MEMORANDUM OF UNDERSTANDING WITH DISTRICT POLICE
ASSOCIATION FOR PERIOD APRIL 1, 1977 THROUGH MARCH 31, 1979

WHEREAS, the prior Memorandum of Understanding between the District and the East Bay Regional Park District Police Association expired March 31, 1977; and

WHEREAS, representatives of the Police Association and the District have negotiated a new Memorandum of Understanding, which has been presented to and approved by the membership of the East Bay Regional Park District Police Association, and has been considered by the Board this date;

NOW, THEREFORE, BE IT RESOLVED that the Memorandum of Understanding between the District and the East Bay Regional Park District Police Association dated April 1, 1977 through March 31, 1979, which has been presented to and considered by the Board this date, is hereby approved, subject to approval as to form in wiring by Special Counsel Thomas Kane, and the President and Secretary of the District are hereby authorized and directed to execute and deliver said agreement on behalf of the District, and the General Manager is hereby authorized to implement each and every one of its terms.

Moved by Director Mary Lee Jefferds, seconded by Director Walter H. Costa, and adopted this 19th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-111

April 19, 1977

APPROVAL OF MANAGEMENT SALARY INCREASES

WHEREAS, the Board Finance Committee has recommended that management employees be granted salary increases based on a review of the Arthur Young Management Salary Structure Plan previously adopted by the Board to reflect cost of living increases, and a change in the medical and dental premium contribution;

NOW, THEREFORE, BE IT RESOLVED that cost of living salary increases are hereby approved for Middle Management Personnel and Department Heads effective April 1, 1977, as follows:

<u>Classification</u>	<u>Name</u>	<u>Current Grade</u>	<u>Step</u>	<u>Current Salary</u>	<u>Proposed Salary</u>
General Manager	R. Trudeau	10	c	\$35,175	\$36,735
Asst. General Manager	J. Kent	9	c	30,913	32,473
Chief, Acquisition	H. Hornbeck	8	d	30,237	31,797
Chief, Administration	R. Owen	8	c	28,796	30,356
Chief, Parks & Interpretation	C. Nelson	7	d	27,589	29,029
Chief, Planning & Design	L. Crutcher	7	c	26,275	27,715
Controller	R. Meilandt	7	c	26,275	27,715
Chief, Public Safety	L. Olson	7	c	26,275	27,715
Chief, Public Information	E. Slee	6	b	22,318	23,638
Development Administrator	L. Chew	6	a	21,255	22,575
Personnel Manager	W. Bigelow	6	b	22,318	23,638
Asst. Chief, Acquisition	W. Gries	6	c	23,434	24,754
Asst. Chief, Planning & Design	D. Harms	6	c	23,434	24,754
Asst. Controller	P. Carter	6	b	22,318	23,638
Supt. Park Operations	R. Blau	6	d	24,606	25,926
Interpretive Specialist	J. Barkin	6	d	24,606	25,926
Supt. Park Maintenance	T. Lynch	6	b	22,318	23,638
Captain, Public Safety	H. Fassler	6	b	22,318	23,638
Lieutenant, Public Safety	B. Rayl	5	b	19,001	20,321
Fire Chief	R. Aronson	5	d	20,950	22,270
Revenue Operations Specialist	S. Smith	5	d	20,950	22,270
Supt. Contract Administration	J. Rawls	5	d	20,950	22,270
Land Management Specialist	J. Nicoles	5	b	19,001	20,321
Data Processing Manager	W. Roesch	5	b	19,001	20,321
Aquatic Specialist	F. Blazic	5	b	19,001	20,321
Water Management Specialist	B. Nuzum	5	a	18,097	19,417
Corporation Yard Superintendent	W. Senior	4	e	19,781	21,101
Administrative Associate	V. Winn	3	e	18,385	19,705
Personnel Officer	V. Noll	3	c	16,676	17,996
Affirmative Action/Trng. Coord.	K. Jay	3	b	15,882	17,202
Zone Manager (Zone 3)	D. Eakin	4	b	17,088	18,408
Zone Manager (Zone 1)	W. Knight	4	b	17,088	18,408
Zone Manager (Zone 7)	W. Cromwell	4	d	18,839	20,159
Zone Manager (Zone 2)	T. Smith	4	b	17,088	18,408
Zone Manager (Zone 6)	G. Phillips	4	d	18,839	20,159
Zone Manager (Zone 5)	B. Horbach	4	d	18,839	20,159
Zone Manager (Zone 4)	R. Mauler	4	c	17,943	19,263
Zone Manager (Zone 8)	M. McNeill	4	d	18,839	20,159

BE IT FURTHER RESOLVED that the District contribution to the premiums for medical and dental plans shall be 100% of the current rate and if the costs of these plans are increased to maintain benefits, the District contribution shall be increased by eighty percent (80%) of the premium increases.

Moved by Director Paul J. Badger, seconded by Director Howard L. Cogswell Cogswell, and adopted this 19th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-112

April 19, 1977

APPROVAL OF SALARY STRUCTURE FOR CONFIDENTIAL EMPLOYEES

WHEREAS, certain confidential employees of the District are not represented in the unit covered by the Agreement between the District and Local 2428 AFSCME, nor are they within the Management Compensation Plan adopted by the Board; and

WHEREAS, these employees continue to perform an essential function within the District; and

WHEREAS, the Board Finance Committee has recommended and the Board has duly considered an increase in the Confidential Employee's Salary Structure and a change in the medical and dental premium contribution;

NOW, THEREFORE, BE IT RESOLVED that the following Confidential Employee Salary Structure is adopted, effective April 1, 1977:

SALARY STRUCTURE - CONFIDENTIAL POSITIONS

	<u>Start</u>	<u>6 Mo.</u>	<u>12 Mo.</u>	<u>24 Mo.</u>	<u>36 Mo.</u>
SECRETARY	\$ 1,041	1,071	1,091	1,134	1,165
BOARD SECRETARY	} 1,240	1,278	1,317	1,359	1,399
EXECUTIVE SECRETARY					

BE IT FURTHER RESOLVED that the District contribution to the premium for medical and dental plans shall be 100% of the current rate and if the costs of these plans are increased to maintain benefits the District contribution shall be increased by eighty percent (80%) of the premium increase.

Moved by Director Paul J. Badger, seconded by Director Howard L. Cogswell, and adopted this 19th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-113

April 19, 1977

APPROVAL OF SEASONAL RATES FOR EMPLOYEES

WHEREAS, salary rates for employees subject to the District's Agreement with Local 2428 AFSCME were increased, effective April 1, 1977; and

WHEREAS, the Board desires to implement corresponding increases for seasonal employees;

NOW, THEREFORE, BE IT RESOLVED that the salary rate for employees in the following job classifications are increased, effective April 1, 1977, as follows:

	<u>Hourly Rate</u> <u>as of 4/1/76</u>	<u>Hourly</u> <u>Increase</u>	<u>April 1, 1977</u> <u>Hourly Rate</u>
Seasonal Assistant Concession Manager I	\$3.04	.18	\$3.22
Seasonal Assistant Concession Manager II	3.33	.20	3.53
Seasonal Boat Attendant A	3.19	.34*	3.53*
Seasonal Boat Attendant B	3.36	.29*	3.65*
Seasonal Concession Attendant	2.91	.17	3.08
Seasonal Concession Manager I	3.50	.21	3.71
Seasonal Concession Manager II	3.78	.23	4.01
Seasonal Environmental Maintenance Aide	2.43	.15	2.58
Seasonal Fire Fighter	5.57	.33	5.90
Seasonal Intern	2.43	.15	2.58
Seasonal Kiosk Attendant	2.91	.17	3.08
Seasonal Lifeguard I	3.86	.23	4.09
Seasonal Lifeguard II	4.10	.25	4.35
Seasonal Lifeguard III	4.46	.27	4.73
Seasonal Park Worker (3 Month)	5.08	.30	5.38
Seasonal Park Attendant	3.33	.47*	3.80*
Seasonal Public Safety Officer	5.57	.33	5.90
Seasonal Public Safety Assistant	3.85	.23	4.08
Seasonal Student Aide	3.51	.21	3.72
Seasonal Waitress Fry Cook	3.99	.24	4.23

*Hourly increases and rates for new positions in Local 2428 Bargaining Unit.

Moved by Director Paul J. Badger, seconded by Director Howard L. Cogswell, and adopted this 19th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-114

April 19, 1977

APPROVAL OF REVISED GOALS AND OBJECTIVES OF THE PARK ADVISORY COMMITTEE

WHEREAS, the Park Advisory Committee has requested revision of certain of its goals and objectives listed in Board Resolution No. 1975-9-177, dated September 16, 1975, to incorporate progress and accomplishments during 1976; and

WHEREAS, staff finds these goals and objectives to be valuable and helpful in accomplishing the District's purposes;

NOW, THEREFORE, BE IT RESOLVED that the following goals and objectives of the Park Advisory Committee are hereby approved:

CAPITAL IMPROVEMENTS - GOAL: Study, recommend and advise on capital improvement programs both new and old parklands outside the Land Bank category.

- OBJECTIVES:
- a. Become informed on each parkland in the planning sequence and review and comment at each stage.
 - b. Become informed of all applications for federal, state, and private grants for capital improvement projects.
 - c. Review and comment on a six-year (1976-1982, inclusive) program of capital improvement projects and resulting costs in maintenance and operation, with reference to its consistency with the Master Plan policies.
 - d. Review and comment during staff preparation of the annual budget on the timeliness and scope of each capital improvement project for consistency with the seven-year program.

MASTER PLAN - GOAL: Maintain a continuing review of the District Master Plan: study, recommend, and advise on changes and validity of proposed procedures and goals.

- OBJECTIVES:
- a. Study and coordinate the open space policies and implementation procedures of the District and of other agencies as they relate to District objectives.
 - b. Consider and evaluate gifts and offers of park sites that were not included in the District's Master Plan.
 - c. Review staff procedures used in implementing the Master Plan.
 - d. Review and comment on the draft Annual Report on the Master Plan prepared for District residents.
 - e. Review and recommend on Geographical Distribution.
 - f. Review and comment in cooperation with Capital Improvements Subcommittee and parkland planning stages.
 - g. Advise and comment on acquisition of parklands according to Overview criteria--relative suitability, need/demand, accessibility, threat of loss, and ease of acquisition.
 - h. Advise and comment on available means to aid in the District's acquisition of undeveloped natural areas worthy of preservation as Land Bank, Open Space.
 - i. Study and recommend guidelines for possible use of parklands in the Land Bank category.

PARKLAND USE - GOAL: Study, recommend, and advise on 'IMPLEMENTATION OF' policies regarding various programs of volunteer work with the District; and study, review and make recommendations for optimum use of parklands by school districts and community groups.

- OBJECTIVES:
- a. Research information for staff use concerning responsibilities of volunteers.
 - b. Evaluate with staff the results of the no-fee system for schools by August, 1977.
 - c. Support and enhance the services of the Interpretive Department.
 - d. Explore the possibilities of teacher-training programs with local colleges and the EBRPD.

PUBLIC SAFETY - GOAL: Study, recommend, and advise on ways of increasing public safety in parklands. Achieve public confidence in the ability to visit parks in safety.

- OBJECTIVES:
- a. Act as part of Citizens Advisory Committee to the Arthur Young Model Police Planning Study.
 - b. Study and recommend on interdepartmental communication and cooperation within the District related to the safety of the public.
 - c. Study and recommend alternative methods of policing parks.
 - d. Review Public Safety Budget Priorities.

PARK FEATURE NAMING - GOAL: Review existing park policy with consideration of individual and group designations for naming park features, and recommend changes as desirable; determine and recommend guidelines to apply to installation of memorial or tribute facilities.

- OBJECTIVE: Completed above charge with report submitted to Master Plan Subcommittee..

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 19th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-115

April 19, 1977

ADOPTION OF REVISED PARK ADVISORY COMMITTEE OPERATIONAL GUIDELINES

WHEREAS, the Park Advisory Committee and Staff have recommended revision of the Committee's Operational Guidelines;

NOW, THEREFORE, BE IT RESOLVED that the first sentence of Guideline Number One, Park Advisory Committee Operational Guidelines, shall read:

"The PAC and its subcommittees will normally meet every month."

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 19th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-116

April 19, 1977

AUTHORIZATION TO EXECUTE AGREEMENT WITH COOPERS & LYBRAND
FOR FISCAL YEAR 1976/77 AUDIT

WHEREAS, on March 16, 1976, the Board of Directors adopted Resolution No. 1976-3-63 authorizing the General Manager to enter into an agreement with Coopers & Lybrand, Certified Public Accountants, to perform the 1975/76 audit of the District's financial records; and

WHEREAS, in that same resolution the Board of Directors stated that it anticipated entering into similar agreements for Fiscal Years 1976/77 through 1978/79, subject only to negotiation of a mutually satisfactory audit fee; and

WHEREAS, Coopers & Lybrand has proposed an audit fee not to exceed \$12,000 for 1976/77 (the same audit fee for 1975/76), which is satisfactory to the Board of Directors; and

WHEREAS, the Board Finance Committee is of the opinion that the 1975/76 audit was prepared in a professional manner, and notes that the recommendations made in Coopers & Lybrand's Management Letter were sound, helpful and have been largely implemented; and

WHEREAS, the Finance Committee of the Board of Directors recommends engaging Coopers & Lybrand to perform the District's 1976/77 audit for a fee not to exceed \$12,000;

NOW, THEREFORE, BE IT RESOLVED that the General Manager is directed to prepare, and the President and Secretary are hereby authorized to execute and deliver, an agreement with Coopers & Lybrand, Oakland, California, for an audit of the financial records of the East Bay Regional Park District for the fiscal year ended March 31, 1977, for a fee not to exceed \$12,000, and in accordance with the proposal dated January 6, 1977, subject to approval as to form by District Counsel.

Moved by Director William F. Jardin, seconded by Director Paul J. Badger, and adopted this 19th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-117

April 19, 1977

ADOPTION OF PARK DISTRICT EMERGENCY OPERATIONS PLAN

WHEREAS, upon authority of the California Emergency Services Act (Chapter 7 of Division 1 of Title 2 of the Government Code), the State of California, the Counties of Alameda and Contra Costa, and the cities therein, have established organizations to counter the effects of disaster; and

WHEREAS, the Emergency Services Act provides that special purpose districts shall function as part of the local disaster effort; and

WHEREAS, the East Bay Regional Park District has been given missions to accomplish by the disaster organizations of Alameda and Contra Costa Counties and some cities therein; and

WHEREAS, it is the intent and desire of the East Bay Regional Park District to aid in the alleviation of human suffering caused by such disasters;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Bay Regional Park District as follows:

1. The District recognizes disaster planning at Federal, State and local levels and agrees to support efforts to relieve human suffering.
2. The Plan entitled "East Bay Regional Park District, Emergency Operations Plan, February, 1977" is hereby adopted by the District and shall be effective April 19, 1977.
3. A current copy of said Plan shall be kept on file in the office of the General Manager.
4. Said Plan shall become operative in a particular locality by disaster conditions and/or ordinance of the Counties of Alameda or Contra Costa and/or ordinance of cities within said counties and/or laws of the State of California.
5. The General Manager is authorized and directed to implement such plan and to adopt necessary additions, amendments or corrections to the plan, which shall be in consonance with all laws, agreements, regulations and rules relating to the State Emergency Operations plans and those of Alameda and Contra Costa Counties and local jurisdictions therein.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 19th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-118

April 19, 1977

RESOLUTION OF SUPPORT OF ALAMEDA COUNTY BOARD OF SUPERVISORS NEW POSITION
RE: PROPOSITION 2 FUNDS (STATE, URBAN, AND COASTAL PARK BOND ACT OF 1976)

WHEREAS, the Board of Supervisors of Alameda County has adopted a new position on Proposition 2 Funds (State, Urban, and Coastal Park Bond Act of 1976) for projects in Alameda County as follows: 15% to regional agencies divided on a population basis between the East Bay Regional Park District and the Livermore Area Recreation & Park District with approximately \$15,000 to East Bay Municipal Utility District in conjunction with building a trail system with the East Bay Regional Park District; 85% to the cities and Special Districts divided on a population basis but with the proviso that each jurisdiction set aside, off the top, 5% of their total allocation for application for the preservation of historical projects within their jurisdiction; and

WHEREAS, the Board of Directors of the East Bay Regional Park District, understanding the plight of the cities to provide for the park and recreational needs at a local level, and wishing to cooperate with the cities and yet must consider the regional needs of the community;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District supports the new position adopted by the Alameda County Board of Supervisors of the 15/85% allocation of Proposition 2 funds; and

BE IT FURTHER RESOLVED that the Alameda County cities participating in the allocations are urged to support the position of the Board of Supervisors and that of the District as being in the best interest of the residents of this County.

Moved by Director Mary Lee Jefferds, seconded by Director William F. Jardin, and adopted this 19th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-119

April 19, 1977

APPROVAL OF APPLICATION FOR GRANT MONEYS UNDER STATE, URBAN, AND COASTAL
PARK BOND ACT OF 1976 FOR PROJECTS LOCATED IN ALAMEDA COUNTY

WHEREAS, the people of the State of California have enacted the State, Urban, and Coastal Park Bond Act of 1976, which provides funds to the State of California and its political subdivisions for acquiring lands and for developing facilities for public recreation and historical purposes; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility of administering the program within the State and setting up necessary procedures governing applications by local agencies under the program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications prior to submission of said applications to the State, which applications contain assurances which the applicant must comply with; and

WHEREAS, the applicant agency must enter into an agreement with the State of California for the acquisition and/or development of the project;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby:

1. Approves the filing of an application by the District for grant assistance under the State, Urban, and Coastal Park Bond Act of 1976; and
2. Certifies that the District understands the assurances in the application; and
3. Certifies that the District has or will have sufficient funds to operate and maintain the project; and
4. Certifies that the District has reviewed and understands the General Provisions contained in the state/local agreement; and
5. Appoints the General Manager as agent of the District to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments, payment requests, and so on which may be necessary for the completion of the aforementioned project.

Moved by Director Mary Lee Jefferds, seconded by Director William F. Jardin, and adopted this 19th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-120

April 19, 1977

AUTHORIZATION TO FILE GRANT APPLICATIONS FOR FUNDING UNDER STATE,
URBAN, AND COASTAL PARK BOND ACT OF 1976

WHEREAS, the people of the State of California have enacted the State, Urban, and Coastal Park Bond Act of 1976 (Proposition 2) which provides funds to the State of California and its political subdivisions for acquiring lands and for developing facilities for public recreation and historical purposes; and

WHEREAS, Alameda County has provided in its Priority Plan for Expenditure of funds allocated to it under Proposition 2 for 15% of said funds to be allocated to Regional Agencies, including \$15,000 for the East Bay Municipal Utility District and approximately \$26,000 for the Livermore Area Recreation and Park District, with the remainder to go to the East Bay Regional Park District; and

WHEREAS, the Board concurs with and supports Alameda County's Priority Plan for Expenditure; and

WHEREAS, the allocation to East Bay Regional Park District is approximately \$539,000 for funds to be spent on projects located in Alameda County;

NOW, THEREFORE, BE IT RESOLVED that the General Manager is hereby authorized and directed to file appropriate applications for Proposition 2 funds for the following projects in the stated amounts:

San Leandro Bay Regional Shoreline	- Development	- \$200,000
Garin Regional Park	- Development	- \$200,000
Northern Alameda County Shoreline	- Development	- \$139,000

Moved by Director Mary Lee Jefferds, seconded by Director Walter H. Costa, and adopted this 19th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-121

April 19, 1977

RESOLUTION OF APPRECIATION TO ALAMEDA COUNTY SUPERVISOR JOSEPH P. BORT
RE: PROPOSITION 2 FUNDS

WHEREAS, Alameda County Supervisor Joseph P. Bort has worked tirelessly to obtain an appropriate and fair allocation of the funds allocated to Alameda County under the State, Urban, and Coastal Park Bond Act of 1976 (Proposition 2) in order to serve all of the diverse park and recreational interests of the residents of Alameda County;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District hereby commends Alameda County Supervisor Joseph P. Bort for his efforts in connection with the allocation of Proposition 2 funds in Alameda County.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 19th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-122

April 19, 1977

RESOLUTION OF APPRECIATION TO FRED C. BLUMBERG
DIRECTOR, WARD 6, EAST BAY REGIONAL PARK DISTRICT - ELECTED NOVEMBER 13, 1964
RESIGNED FEBRUARY 1, 1977

WHEREAS, Fred C. Blumberg has distinguished himself as a leader in the cause to preserve and protect our parklands and open space through his more than twenty years of dedicated service to those organizations and agencies which have represented the environmental interests of millions of Americans; and

WHEREAS, Mr. Blumberg demonstrated his keen interest and concern in this regard first as a member and President of the Pleasant Hill Recreation and Park District, and later as a member and President of the Board of Directors of the East Bay Regional Park District with which he served for some twelve years; and

WHEREAS, Mr. Blumberg served as President of the Commissioners-Board Members Branch of the National Recreation and Park Association, and received in recognition of his outstanding contributions the "Distinguished Director's Award" the following year; and

WHEREAS, Mr. Blumberg, in addition to serving as a member of the Board of Trustees of the aforementioned organization, received further national recognition when he was selected by U. S. Secretary of the Interior Rogers Morton to serve on a special Citizen's Advisory Commission for the Golden Gate National Recreation Area; and

WHEREAS, Mr. Blumberg's considerable record of achievements and awards in the park and recreation field at the local, state and national levels reflect his genuine concern for the future of our environment;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District hereby expresses its grateful appreciation to Mr. Blumberg for his numerous contributions, and in particular for providing strong and courageous support on many controversial issues which saw the District through many crises and which has given the East Bay Regional Park District world-wide recognition.

ADOPTED this 19th day of April, 1977, by unanimous vote of the Directors:

Paul J. Badger, Howard L. Cogswell, Walter H. Costa,
William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel
and John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-4-123

April 19, 1977

APPROVAL OF DEMANDS - April 19, 1977

BE IT RESOLVED that the items set forth and as presented in the Demand Register for the period ending April 19, 1977, totaling \$1,693,887.65, plus the \$1,500 which was previously deducted from the Demand Register approved on April 5, 1977, are hereby approved and authorized for payment.

Moved by Director Harlan R. Kessel, seconded by Director Walter H. Costa, and adopted this 19th day of April, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

Note: Warrant No. 37401 to Greenpeace Foundation for \$75.00 was cancelled at the request of the Controller in this Demand Register. As this will be reflected as a credit on the next Demand Register, it has not been deducted from this Register.

May 3, 1977

May 3, 1977

MINUTES
REGULAR MEETING
EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS

BART Headquarters
800 Madison Street
Oakland, California

2:00 p.m.

Tuesday, May 3, 1977

A. ROLL CALL

President John Leavitt called the Tuesday, May 3, 1977, meeting of the Board of Directors of the East Bay Regional Park District to order at 2:15 p.m. The meeting was held at BART Headquarters, Oakland.

Present: All Directors were present: Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.

Staff: General Manager Richard C. Trudeau, Asst. General Manager Jerry D. Kent, Controller Ralph Meilandt, Chief of Administration Robert Owen, and Department Heads: Hulet Hornbeck, Chief of Acquisition; Christian Nelson, Chief of Parks and Interpretation; Lewis Crutcher, Chief, Planning and Design; Larry Olson, Chief, Public Safety; Linda Crew, Development Administrator; Mac Slee, Chief, Public Information, and Staff Members: Donald Harms, Grace Lewis, Bill Gries, Harold Luhtala, and District Counsel Donn Black (Orr, Wendel & Lawlor).

Visitors: Visitors who signed the Log included D. M. King (Leslie Salt Co.), Lona Molyneaux, Kelly Falconer, Gary Chase, E. A. Anson, Don C. Grady, and Mrs. Joyce Burr.

B. APPROVAL OF AGENDA

On motion of Director Kessel, seconded by Director Cogswell, the agenda for the meeting was approved by unanimous vote.

C. APPROVAL OF MINUTES

Subject to typographical corrections, the Minutes for the Board Meeting of April 19, 1977 were approved by unanimous vote, on motion of Director Cogswell, seconded by Director Kessel.

D. BUSINESS BEFORE THE BOARD

1. CONSENT CALENDAR

On motion of Director Jardin, seconded by Director Cogswell, items a, c, d, and e under the Consent Calendar were approved by unanimous vote. The resolutions adopted are noted below. Item b was taken off the Consent Calendar for discussion.

a. Authorization to enter into Rental Agreement with Ruth Ford Cherrington at Diablo Foothills Regional Park.

Resolution No. 1977-5-124 covers the Board action, a copy of which is attached to these Minutes for reference. Mrs. Cherrington was the occupant of the residence when the property was acquired by the District and the rental agreement is for a two year period ending May 1, 1979 at a rental of \$175.00 per month. This regional park is in the land bank category and no capital development is anticipated in this fiscal year.

b. Approval of Agreement with A/C Transit District for 1977

This item was removed from the Consent Calendar for discussion at the request of Director Jefferds. Miss Jefferds voiced her concern that the proposed summer bus service to regional parks had not been expanded and was the same as last year with minor modifications. Director Jefferds suggested the possibility of having the transportation element to park and recreation areas included in MTC grant funds.

Miss Jefferds stressed the need to get quick, simple advance notice to potential riders, particularly school children before the schools close for the summer. Assistant General Manager Kent advised that the new program has additional bus service to Point Pinole and that the other schedules were those that generated the most riders last year. Mr. Kent said if more riders use the buses, other lines could be added at some future date, that the District will have to convince A/C Transit that it can generate more riders before they will expand beyond the four programs proposed.

Mac Slee, Chief of Public Information, commented that, in addition to normal publicity, a brochure is being made up and that steps are underway to get TV personalities to do TV and radio spots to let the public know that the bus service is available.

Mr. Kent also called attention to the deficit for the Point Pinole bus service and said that staff is working to get funding through MTC and other sources to make up this deficit. General Manager Trudeau also commented that it was largely through the efforts of MTC that the District has been able to get the present bus service going. Mr. Trudeau said it was gratifying to see the importance of keeping this going and that A/C Transit is willing to do so in view of their financial situation. If the service can be expanded, Mr. Trudeau said, with MTC help, they will do it.

Director Jefferds said the District has a real commitment to the community to provide the bus service and urged aggressive work toward a better program. Director Badger also commented that the District subsidized the program last year at about 25¢ per ride and the more riders the District gets, the better the return. Director Jefferds also stated that if a bigger budget is needed, she would be happy to suggest it.

Director Jefferds then moved for approval of the proposed summer bus service. This motion was seconded by Director Badger. Accordingly, Resolution No. 1977-5-125 was adopted by unanimous vote, a copy of which is attached to these Minutes for reference. The resolution provides for a commitment of \$3,450 for payment to A/C Transit for the program, as well as \$2,550 in-kind publicity and promotion on the service.

c. Approval of Job Description for Preparator Aide.

By the Consent Calendar motion Resolution No. 1977-5-126 was adopted by unanimous vote. A copy of said resolution is attached to these Minutes for reference. The resolution simply deletes the section entitled Additional Provisions from the job description in order to attract more qualified applicants for the position.

d. Approval of resolution in Support of Assessment of the Proposed Abandonment of the Atchison, Topeka & Santa Fe Railroad Right of Way as having Open Space, Recreation, Education, and Non-Motorized Transportation Values.

By the Consent Calendar motion Resolution No. 1977-5-127 was adopted by unanimous vote, finding that the Santa Fe right of way abandonment should be assessed and that the

right of way would have tremendous regional significance for the uses listed. A copy of said resolution is attached to these Minutes for reference.

e. Approval of Indemnification Agreement with Contra Costa County.

By the Consent Calendar motion Resolution No. 1977-5-128 was adopted by unanimous vote approving an agreement with Contra Costa County whereby the county indemnifies the District and the District Counsel against claims and all other liabilities in connection with use by six of the county's Special Service Areas of up to \$61,044 District Block Grant Roberti Funds. These are funds which the District agreed to share with the six Special Service Areas. A copy of said resolution is attached to these Minutes for reference.

2. OPERATIONS

a. Progress Report on 1977/78 Budget by Finance Committee

Chairman of the Board Finance Committee William Jardin advised that the committee has had three long productive meetings, with another all-day session set for Friday, May 6. Mr. Jardin thought that the Friday session would wrap up the committee review so that a Board work session can be held at the next Board meeting.

In reporting on the budget, Director Jardin recommended Board action on some budget items now in order to get ready for the summer use season and to enable some of the capital projects to move along, and stated that these were listed as agenda items for approval at this meeting. Director Jardin also stated that the committee is recommending modification of the Land Acquisition Program so that funds will be designated for certain areas where acquisitions are proceeding and where release of the funding information would not cause problems.

The acquisition funding as presented to the Board indicated a carry over of \$53,141; \$2,450,000 in Supplemental Funds for purchase of properties at the Hayward Shoreline, George Miller, Alameda Creek Quarries, Garin, Briones, Ridgeland, and the Diablo Foothills/Morgan Territory; and \$163,000 to fund acquisitions already made with 1977/78 fiscal year funds.

Director Jardin also refuted gossip that the District has more money than it needs. Mr. Jardin said the District has been very responsible with its finances and its long-range planning is sound and business-like. Mr. Jardin said the District's primary funds come from property taxes, with no other major source of funds except from grants, and stressed the possibility of an unbalanced budget in the old 10 cents used to maintain and operate the parks.

Director Jardin noted that nearly \$3.5 million in capital projects will come from grants. Director Badger commented that the District is going to have a great deal more money coming in than was anticipated because of the tremendous inflation due to speculation on homes in Contra Costa County.

On the matter of property tax reform, General Manager Trudeau stated that he has asked Counsel Black to look at AB-999 (Willie Brown) one of three possible tax reform bills to be enacted at this session of the Legislature. Mr. Trudeau said this bill of 106 pages was very complicated and until something is passed, the staff theory is let's study it, know where we are going, revise things later, but let's go ahead and do

what we can do.

b. Work Session on Capital Projects for 1977/78.

The Capital Projects Summary submitted in the Board packet by the General Manager revealed a heavy work-load schedule for the staff, with the General Manager and the Chief of Planning and Design optimistic that the projects could be completed this fiscal year. The Capital Projects Summary indicated the following:

1. Old Money Carry Over Projects	\$192,217
2. Old Money New Projects:	
Grants	434,100
District Funds	688,099
3. New Money Carry Over Projects	438,465
4. New Money Projects:	
Grants	2,140,863
District	711,334
5. Joint Agency Projects:	
Grants	882,936
District	59,269
	<u>\$5,547,283</u>

The staff report also revealed that the five above-listed group figures were based on the following capital projects:

P&D Recommended Capital Projects

Old Money 1977/78

A. Carry-Over Projects

Chabot Nike Site	\$ 73,255
Brooks Island	28,867
Lake Chabot Dock	6,815
Coyote Hills Bike Trail	8,000
Temescal Lake Bottom	15,580
Anza Lake Bottom	14,700
Contra Loma Swim Complex Completion	20,000
Contra Loma Furniture	25,000
	<u>\$ 192,217</u>

B. Old Money - 1977/78 New Projects or Additional Funds for Current Projects

Coyote Hills Bike Trail (Supplementary)	\$ 7,000
Chabot Dock (Supplementary)	5,185
Lake Temescal Restoration	
Clean Lakes Grant	244,000
State of California Grant	96,000
District Funds	127,000
Anthony Chabot Service Yard	40,000
Anthony Chabot Las Cumbres Sewer	5,200
Redwood Park Restoration	300,000
Tilden Merry-Go-Round	
Restoration Grant	20,000
District Funds	20,000
District H.Q. Office Expansion	73,500
Chabot Nike Site P.S. Headquarters	21,584
Brooks Island Supplementary Funds	5,000
Black Diamond Interpretive Development	
District Funds	25,900
Prop 2 Funds	74,100
Crown Beach Exhibit Lab	28,000
Tassajara Creek	30,000
	<u>\$1,122,199</u>

District	\$ 688,099
Grants	434,100

P&D Recommended Capital Projects

New Money 1977/78

A. Carry-Over Projects

Lafayette/Moraga Trail	\$ 161,256
Chabot Nike Site	57,161
Black Diamond Mine Safety Completion	12,002
Garin Phase I	199,675
Redwood-Tilden Skyline Trail	4,926
(Completion of Staging Area)	
Oyster Bay	3,445
	<u>\$ 438,465</u>

B. New Money 1977/78 Projects

San Leandro Bay	
District Funds	\$ 86,667
Roberti Funds	260,000
City of Oakland	120,000
Prop 2 Funds	200,000
George Miller	
District Funds	85,667
Roberti Funds	257,000
Point Pinole, Giant Picnic Area	
District Funds	52,000
Roberti Funds	156,000
Garin Phase II	
District Funds	300,000
Garin Phase III	
Prop 2 Funds	200,000
Briones Phase I	
District Funds	300,000
Prop 2 Funds	200,000
Contra Loma Bike Trail	20,000
Briones to Las Trampas Trail	
District Funds	25,000
Prop 2 Funds	75,000
Briones to Mt. Diablo Trail	
Prop 2 Funds	100,000
Walnut Creek Prop 2 Funds	154,000
City of Walnut Creek	10,000
Lafayette/Moraga Trail Supplement	45,000
MTC Study (San Leandro Bay)	10,000
Chabot Nike Site P.S. Headquarters	22,000
Northern Alameda County Shoreline	
Prop 2 Funds	138,863
Oyster Bay Engineering Services	10,000
Handicapped Facilities Engineering	25,000
	<u>\$2,852,197</u>

District \$ 711,334
Grants 2,140,863

C. Joint Projects (EBRPD Lead Agency)

1. Alameda Creek Quarries (carry-over grant)

*Local Facilities	\$ 114,000
Regional Facilities	50,000
	<u>\$ 164,000</u>

2. Martinez Regional Shoreline

*Local Facilities	\$ 418,936
Regional Facilities	
Martinez Grant	200,000
District Funds	25,936
Roberti Funds	100,000
District Roberti Match	33,333
	<u>\$ 778,205</u>

*Local Facilities to be built with local funds administered through EBRPD Controller.

(4/27/77/RO/RCT/imp)

Responding to President Leavitt's questions, Mr. Crutcher stated there was \$2.5 million in capital projects in progress now, amounting to 45% of the entire year's budget for capital projects, and that inflationary factors were considered in the calculations.

On carry-over projects, Mr. Crutcher said Contra Loma is nearing completion with \$20,000 carried over for the swim complex and \$25,000 for equipment, and that the Chabot Nike Site is within two weeks of going out to bid. Also in response to the President's question on the Lake Chabot dock, Mr. Crutcher said this was not a high priority project and that in order to provide better anchorage for the finger docks, the thought now is to build a causeway all the way across over pilings to the other side to provide good access to the day camp on the far side, as well as to protect the marsh. Director Cogswell asked about security. Mr. Crutcher said the causeway would be blocked off at each end with a gate to protect the boats after the park closing time.

Director Kessel asked what the schedule was for the Lake Temescal Restoration project. Mr. Crutcher said this would have to be done after the swim season and that the funds have been set aside until such time as it is possible to drop the water level of the lake.

Director Jefferds asked for specifics on the capital funds listed for Brooks Island and suggested that if capital development plans have not been worked out, the figures not be kept on the books. President Leavitt said it was his understanding that Brooks Island will be coming before the Board shortly on the total project. Mr. Crutcher also stated that a capital development plan is now in the works for Brooks Island.

Considerable discussion took place on expansion of the Board Room at the District Headquarters. Director Jardin stated that the Finance Committee did not include this in the capital budget, feeling that it was more important to go ahead with the office expansion instead. Leading the discussion on the Board Room, Director Badger said this subject goes back 12 years, that he was concerned about the continued office expansion and that there will be too much invested in the building to relocate. Before any further expansion takes place, Mr. Badger said, the District should seriously look at the possibility of relocating to some place more suited for the total District activities. If this can't be done, Director Badger said, then any expansion of the building should include the Board Room.

President Leavitt commented that he was on a Board committee two years ago that looked closely at the possibility of moving elsewhere, that a suitable site couldn't be found and that it was the general consensus that the headquarters remain at the present location. To do otherwise, President Leavitt said, would have cost an enormous amount of money and cause problems with some of the District's legislative representatives. President Leavitt said it was a good location and fits well as a park headquarters. However, he said, it was up to the Directors to determine what direction staff should take on the Board Room, which seemed to point to a multi-use type room. One of the problems, President Leavitt said, is spending a lot of money at any one time on the headquarters.

Director Costa volunteered to assist the staff, feeling that expanding the Board Room could be done quite reasonably. Director Costa said that since the headquarters is the home of the District, it would be appropriate to have the Board Room there. Director Kessel added his support, but stated that the present meeting room is inadequate for committee and public meetings, but that the public meetings should be held in a park-like setting where maps and resources are close at hand. Director Kessel said the BART Board Room was too pretentious and although there is much to be said about the convenience of BART, the majority of the public does not buy it. Director Kessel said he would prefer that the District expand its present facilities as soon as possible for public meetings at the headquarters, assuming that it is the

decision to stay there. Director Kessel said he realized there were problems with this, but that the Board could be more effective if it was able to work closer to its resources and in a setting that is appropriate to the Park District operations.

Director Badger noted that there have been four or five expansions of the District Headquarters already and stated that one of his major concerns was the fact that an average of 14 staff members attended the BART meetings, whereas having the meetings at District Headquarters, staff could be called in as needed and afterward return to their regular assignments.

Director Jefferds said she agreed with Mr. Badger's statements and that the more money put into the headquarters building, the more committed the Board is to that location. Director Jardin also suggested the Board should additionally consider the fact that there is no office space where a Board Member can handle district business, other than in the lobby. Director Jardin said there would be more recognition of the District if it did have its own Board Room. Director Jardin said this was one of the few public agencies that did not have its own Board Room at its own headquarters.

President Leavitt suggested that the District get on with the office expansion as an immediate necessity, but not to delay implementing a realistic study and appraisal of a Board Room at District Headquarters. Mrs. Joyce Burr, a visitor to the meeting, commented that she sympathized with the Board's problem, but found that the BART Board Room was ideally suited for public meetings, being both centrally located and convenient to transportation. That concluded the discussion on the Board Room.

Under Item B. Old Money (page 4 of these Minutes) as a matter of clarification Director Cogswell suggested that the funds marked "Supplementary" be designated "additional" funds. These included the Coyote Hills Bike Trail, the Chabot Dock, and Brooks Island.

President Leavitt stated he had a very deep concern that if the District did not get into the projects as quickly as possible, the District would find itself priced out of them. The President asked Mr. Crutcher which projects were carried over due to lack of manpower and what can be done to hasten the beginning and implementation of the projects. Mr. Crutcher said the carry over projects had the lightest priority in last year's load. President Leavitt assured Mr. Crutcher that his staff has done a super job, but again stated his concern about getting the projects going as quickly as possible because of the threat of inflationary construction costs. If the District doesn't move quickly, he said, it will either have to provide additional funding or drop some of the projects.

Mr. Crutcher repeated his earlier statement that he felt the projects could be accomplished within this fiscal year and within the funding. Director Jefferds also noted that an additional \$5,000 is provided for Brooks Island, with no capital program presented to the Board. Director Jefferds also asked for clarification of the location of the Staging Area listed under A. Carry-Over Projects for the New Money (top of page 5 of these Minutes). Assistant General Manager Kent explained that this was at the entrance to Huckleberry Path and included protective barriers.

Director Badger asked for a rough figure on how much will be put aside in the budget for trails. Controller Meilandt responded that \$250,000 is put aside each year in a reserve for trails, that it is a continuing assignment. Mr. Kent also stated that in this year's budget there will be about \$500,000 for trails.

Director Jefferds said she was delighted to see the \$25,000 included for handicapped facilities engineering and asked if that included any implementation. Mr. Crutcher said this included funds for some modifications of toilet facilities and curbs, in addition to the consultant services of Ed Jewell.

President Leavitt noted that there were two joint projects, with the District as the lead agency, for capital development at Alameda Creek Quarries and the Martinez Shoreline totaling \$942,205 (Item C at the bottom of page 5 of these Minutes).

President Leavitt stated that if there is anything the Board can do for additional manpower and money for capital projects, to let the Finance Committee know, as the Board is most interested in getting the projects going. General Manager Trudeau said that these would be presented to the committee at the budget session set for Friday, May 6. Mr. Trudeau also commented that the Capital Projects Report would be sent to the cities so that they will be aware of them and will have time to react when it comes time for the public hearings.

Director Jardin suggested that the public hearing on the budget be held Tuesday evening, May 31, either in Oakland or San Leandro. Director Jefferds suggested that the hearing be held in Berkeley. After discussion the Board concluded that the hearing be held in Berkeley, if the city hall chambers was available on that date. If not, the public hearing could be held somewhere in south county.

Before moving on to the next item on the agenda, Director Jardin asked if the Board had any questions on the Supplemental Funds for Acquisition. These were listed in the material submitted to the Board as follows:

ACQUISITION

A. Carry Over

	\$ 4,833
Port of Oakland - San Leandro Bay	14,075
Huckleberry - Avelino	18,917
Coyote Hills - South Red Hill	6,607
Briones - Shapell	8,709
Total:	\$ 53,141

B. Supplemental Funds

Hayward Shoreline	\$1,000,000
George Miller	150,000
Alameda Creek Quarries	350,000
Garin	200,000
Briones	100,000
Ridgelands	150,000
Diablo Foothills/Morgan Territory	500,000
Total:	\$2,450,000

C. Acquisitions appropriated 4/1/77-5/3/77

Martinez Shoreline - Costanza*	\$ 6,000
Martinez Shoreline - Sparacino*	27,000
Wildcat Canyon - Fowler	130,000
Total:	\$ 163,000

Grand Total: \$2,666,141

* Roberti Funds expected

BG:mp
4/29/77

Director Cogswell noted that the first item for \$4,833 did not have a land designation. Mr. Kent said this related to the HASPA studies. Chief of Acquisition Hulet Hornbeck explained further that this was a carry over of supplemental land funds related to the studies which were essential and preliminary to any acquisition program.

Director Jefferds commented that she was hoping to see Claremont Canyon on the list. Mr. Hornbeck explained that the list only represented those areas where acquisitions are on-going and to let the various communities know where on-going projects exist. Mr. Hornbeck said there was no inference or suggestion that the program will in any way curtail or restrict acquisitions in areas other than those listed. On the Ridgelands Mr. Hornbeck explained that this was a general description and would require further definition at a later date.

c. Advance approval of certain Budget Items for 1977/78:

Four separate items were included on this agenda for approval as listed below. Director Badger commented that he could understand the need for discussion, but felt the items should not be acted upon before the public hearing on the budget. President Leavitt said the reason for this was due to the fact that a budget has not been adopted and the items are critical in terms of timing. General Manager Trudeau also explained that none of the items appeared to be controversial and would not generally be discussed at a public hearing.

Director Badger asked Counsel what the law said about approving budgeted items before a public hearing. Counsel Black stated that the District does not have any legal requirement to hold a public hearing and that the only legal requirement is to submit the budget to the county.

(1) Approval of contract with Ed Jewell for work with Planning and Design Department.

On this item Director Jefferds moved for approval of the contract with Mr. Jewell. Director Costa seconded the motion. Director Kessel suggested that it be made clear that Mr. Jewell will be working for the District as a consultant. Counsel Black said this would be covered in the contract agreement.

Accordingly, Resolution No. 1977-5-129 was adopted by a vote of 6 to 1. Director Badger cast a "no" vote, stating that he did not believe the Board should approve budgeted items prior to the public hearing. A copy of the resolution authorizing the agreement with Mr. Jewell is attached to these Minutes for reference. The resolution lists the various assignments which Mr. Jewell will handle and allocates the necessary funds for his consultant services.

(2) Approval to purchase Trail Blazer for Trails Program.

On motion of Director Jefferds, seconded by Director Cogswell, the Board authorized purchase of a Morrison Trail Blazer at a cost not to exceed \$10,000 from Roberts Harvester, Inc., Portland Oregon, as the only source of supply. Accordingly, Resolution No. 1977-5-130 was adopted, also by a vote of 6 to 1, with Director Badger casting a "no" vote for the reason cited above. A copy of said resolution is attached to these Minutes for reference.

(3) Authorization to go to bid and allocation of funds to purchase materials for remodeling of Visitors' Center at Crown Memorial Beach.

On motion of Director Cogswell, seconded by Director Costa, Resolution No. 1977-5-131 was adopted by a vote of 5 to 2 authorizing calling for bids to complete the remodeling of the Visitors' Center at Crown Memorial Beach. The resolution, a copy of which is attached to these Minutes for reference, indicates that the Alameda Rotary Club has previously donated \$16,076 toward this project.

Director Badger cast a "no" vote again for the reason that the public hearing on the budget has not been held. Director Jefferds cast the other "no" vote on the basis that staff had not come up with an estimate on the cost of the remodeling.

(4) Authorization to initiate a New Operational Program
for Black Diamond Mines Regional Preserve.

On motion of Director Cogswell, seconded by Director Costa, Resolution No. 1977-5-132 was adopted changing the operational supervision of the Black Diamond Mines Regional Preserve from that of Park Supervisor to Resident Naturalist. This change was approved by a vote of 5 to 2, with Directors Badger and Jefferds casting the "no" votes.

Although receptive to the program, Director Badger voted "no" due to the fact that it was included as a budgeted item and was subject to a public hearing. Director Jefferds cast a "no" vote on the basis that she could not understand how a resident naturalist could handle both the interpretive duties and the duties of a park supervisor for a park the size of the Black Diamond Mines Regional Preserve. Her interpretation of the Arthur Young study, Miss Jefferds said, was that the two positions weren't interchangeable.

Christian Nelson, Chief of Parks and Interpretation, said the key to the Arthur Young study was the elimination of dual supervisions. It was felt that in this park the resident naturalist would be capable of both and was an attempt to resolve the problem of double supervision. If the program doesn't work, Mr. Nelson said, staff would come back to the Board for further action.

President Leavitt said that since the Black Diamond area is going to be directed toward an interpretive program, the operational change deserves a try. Director Cogswell also stated the reason he moved for adoption of the resolution was because the Black Diamond Mines area was acquired mainly for its historical and interpretive values and therefore, this would be a proper operational change. General Manager Trudeau also stated that funding from Proposition 2 will implement the decision to go this route.

d. Presentation of 40 Year Pin and Resolution to James Roof.

Director Kessel read the proposed resolution of appreciation to Mr. Roof for his leadership and dedication during 40 years as Supervisor of the Regional Parks's Botanic Garden, and moved for its adoption. Director Jefferds seconded the motion. Accordingly, Resolution No. 1977-5-133 was adopted by unanimous vote, a copy of which is attached to these Minutes for reference.

In addition to the resolution of appreciation, a 40-year Service Pin was presented to Mr. Roof by the General Manager and was graciously accepted by Mr. Roof, along with the compliments of the Board, the staff, and members of the audience. As a special surprise, Mr. Roof was also presented with a framed, enlarged photograph of himself in discussion with Stewart Udall, former Secretary of Interior.

As it was the intent of the Board to bestow the title of Director Emeritus to Mr. Roof, this was added to the resolution.

e. Report on Moraga Trail and authorization to enter into License Agreement
with Town of Moraga and authorization to construct Caltrans Portion of
the Trail.

On motion of Director Jefferds, seconded by Director Cogswell, Resolution No. 1977-5-134 was adopted by unanimous vote authorizing entering into a license agreement with the

Town of Moraga for trail construction on Caltrans Property and authorization to call for bids. A copy of said resolution is attached to these Minutes for reference.

Assistant General Manager Kent, in reporting on the information submitted to the Board, said two elements were involved - an agreement for use of the land, and the capital development. Mr. Kent said the Lafayette portion of the trail, completed in 1976, enjoys heavy public use and is a real plus for the community. A recent survey, he said, showed up to 1200 people a day using the 4.5 mile Lafayette portion of the trail. Mr. Kent said 188 homes back up the trail with various types of fencing and that there have been only a few problems.

Mr. Kent reviewed the recommendation before the Board to proceed with the next segment of the trail of approximately 6500 feet between Bollinger Canyon Road and Moraga Road, at an estimated cost of \$85,000 over land leased to the Town of Moraga by Caltrans. Mr. Kent reported on the controversy regarding the central portion of the trail through the Town of Moraga and the Town Council's request for the District to hold off on this portion until the Town's General Plan has been completed. Mr. Kent expected this to be resolved in late winter.

Mr. Kent said the Citizens Advisory Committee for the trail has recommended development of both ends now. Mr. Kent reported on his meeting with Director Costa, the Mayor of Moraga and the Chairman of the Citizens Advisory Committee to explain the District's position that it was prepared to go ahead with the Caltrans section until the central route is pinned down, so that both the Town Council and the Committee would understand the District's position.

At this point, Mr. Kent said, the District has the concurrent agreement of the City of Lafayette, the Town of Moraga and the Moraga Park and Recreation Authority to proceed with the 6500 foot section. Mr. Kent introduced John Kennedy, representing the regional interests on the advisory committee, and Lona Molyneaux, representing the City of Lafayette, who were in the audience.

Mr. Kennedy in commenting on the project, prefaced his statements commending the Directors for appointing Walter Costa, a Lafayette resident, to the Board. Mr. Kennedy said he had one point to make and that was that the Lafayette/Moraga Trail Citizens Committee is dedicated to seeing completion of the entire trail and that they intend to continue meeting to see the whole project through. Mr. Kennedy also commended the District staff and William Penn Mott of the Park and Recreation Authority for their help. Mr. Kennedy said the committee is aware of the obstacles, but that approval of the Caltrans portion of the trail will have a very significant impact and would be helpful to the overall goal.

On the license agreement with the Town of Moraga, Asst. Chief of Acquisition Bill Gries said this was patterned after agreements with the Central Sanitary District and EBMUD with some modifications and is for a period of 25 years with an option to renew for another 25. Mr. Gries noted the Town's request for removal of the asphaltic paving if the trail should be abandoned for whatever reason. Mr. Gries said the removal represents an expense of \$8-\$10,000 and that staff feels this situation will not present itself.

Counsel Black also commented on the need to be sure that no official of the Park District is entering into an agreement for indemnification above and beyond the capacity of the District to indemnify, but felt that in talking with the the attorney for Moraga this can be straightened out.

Director Kessel said he was concerned about the District investment in a portion of a trail that may end in mid-air and the problems along the creek, which should be brought out into the open. President Leavitt said the agreement did not include the

area. Mr. Kent and Mr. Gries added their assurance that the creek was not a part of the trail and that the agreement will have an attachment that clearly delineates the area of the Caltrans right of way acquired by Moraga. The proposal takes the trail from its terminus to Moraga Road, Mr. Kent said, and would serve any of the other southern alternative routes through the central area.

Director Kessel asked if there was a rush to get the agreement approved. Mr. Gries said he did not see the changes in the agreement as problems to hold up the Board's approval. Mr. Gries said it was on the Town Council's agenda for the following evening and it was hoped that the District would have a package available for the Council so the documentation could be completed and work begun on the trail portion.

President Leavitt asked if it was conceivable that the Town would want the trail to go further to the south or east than the present terminus. Town Manager Gary Chase, also present at the meeting, responded that the Town of Moraga just purchased the Caltrans property from the State of California for \$150,000 anticipating the Board's action that the trail was going to be constructed and that there is on the docket a request for approval of a \$60,000 traffic intersection across Moraga Road for the trail project. Mr. Chase said there was enormous support on the part of the Town Council that the trail be completed and that it is in their General Plan and EIR which is in the hearing stages. Mr. Chase said the creek problems were recognized and they are trying to come up with solutions.

Because the General Plan for Moraga may not be adopted before the end of the year, it was their feeling that they would not like to see the Caltrans portion delayed until such time, Mr. Chase said. It was for this reason, he added, that the Town Council felt strongly enough about the trail to go ahead and spend the \$150,000.

Director Jefferds reminded the Board that they have already approved and constructed the 4.5 mile section of the trail and that it would be irresponsible for the Board not to move it along further as the opportunities present themselves. It was on this basis that Director Jefferds made the motion recited on the bottom of page 10. While supporting the motion, Director Kessel stated that the hard and beautiful section of the trail through Moraga is yet to come and urged everyone to lend their support to its completion. Director Kessel also stated that he certainly would have seconded the motion, if it had not already been done.

Assistant Chief of Planning and Design Donald Harms reported on the construction of the trail and stated that the Caltrans section contrasted greatly from the Lafayette section which was built on the Sacramento-Northern railroad right of way, on flat grade. The Caltrans section, Mr. Harms said, will be over open hilly terrain, with no existing flat grade available for trail construction. Therefore, the cost per mile, as indicated in the Board packet, will be higher, Mr. Harms said.

3. LAND ACQUISITION

President Leavitt called for a short recess at this point in the meeting in order that the Board could go into Executive Session with Counsel regarding acquisition of the Fowler property. Upon returning to open session the Board took the following actions:

a. Acquisition of Fowler Property (Wildcat Canyon):

(1) Acceptance of Acquisition Evaluation Report.

On motion of Director Badger, seconded by Director Jefferds, the Board adopted Resolution No. 1977-5-135 by unanimous vote accepting the Acquisition Evaluation

Report on 7.2 acres of the Fowler property for addition to Wildcat Canyon Regional Park. A copy of said resolution is attached to these Minutes for reference.

(2) Authorization to purchase Fowler property and allocation of funds therefor.

Also on motion of Director Badger, seconded by Director Jefferds, the Board authorized purchase of the Fowler property for addition to Wildcat Canyon Regional Park at a purchase price of \$125,000. This action is covered by Resolution No. 1977-5-136 which was adopted by unanimous vote. A copy of said resolution is attached to these Minutes for reference and includes an additional allocation of \$5,000 to cover legal fees and other expenses to complete the transaction.

Mr. Fowler and his attorney were present at the meeting and extended their thanks that the negotiations were concluded in a satisfactory manner without extensive court litigation. It should be noted for the record that this parcel was on the market a number of years ago at \$250,000, is an inholding in the park and was operated as a stable facility since the late 1940s.

4. REPORTS

a. Shoreline Committee Report by Director Mary Jefferds.

In deference to the time, Director Jefferds distributed a written report of the Shoreline Committee, chaired by herself and Directors Cogswell and Badger. Miss Jefferds stated that the committee tried to approach this subject by first trying to identify particular areas of the 115 miles of shoreline in the two counties, dividing these into units and sub-units. Director Jefferds credited the Planning and Design staff for the information, much of which she said was compiled by Peter Koos.

Research will continue, Director Jefferds said, not only what is there, but also what is the potential in several areas of concern, such as marshes, water quality and access. When all the information is available, the committee will be able to make some determination and come back to the Board. The committee, Miss Jefferds said, would welcome any suggestions from the Board.

The primary concern of the Shoreline Committee, Director Jefferds said, is to implement wherever possible the commitment that the Park District has already made for access and use of the Bay shoreline.

Included with the committee's written report was a draft of a resolution which in effect allocated \$1 million for land and water acquisition and development by the District in the areas encompassed in its Master Plan and the Plan of the Hayward Area Shoreline Planning Agency. Director Jefferds moved for adoption of the resolution. This was seconded by Director Cogswell. Accordingly, Resolution No. 1977-5-137 was adopted by unanimous vote, a copy of which is attached to these Minutes for reference.

President Leavitt questioned the sub-unit listing of the Estuary. Director Jefferds said this was included to make sure it did not "slip through the cracks", and that it should be a part of any study. President Leavitt commended the committee for the report, a copy of which is attached to these Minutes for reference.

Director Cogswell advised that the District has now acquired aerial photographs of the entire shoreline which should be of great interest to the Board and others regard-

the shoreline. Director Kessel said he has seen the maps and would be very interested in having a set for his own use. At 75¢ a sheet, Director Kessel said he would like to purchase the entire set. It was also suggested that a set should be available to the Shoreline Committee.

b. Park Dedications.

Chief of Public Information Mac Slee reported that Assemblyman Boatwright will not be able to participate in the Contra Loma dedication on May 21 because of legislative commitments and would be represented by Stephen Weir, his field representative. Mr. Slee also advised that Supervisor Hazeltine will also attend the dedication.

The George Miller dedication, Mr. Slee said, has been postponed from May 28, in deference to some people who should be included. The dedication has been rescheduled for either June 4 or June 11. Assemblyman Knox is being asked to serve as the key speaker, Mr. Slee said. Mr. Slee stated that Mr. Costa and Mr. Badger will participate in the dedications, representing their wards, and invited the other Directors to attend both dedications. More details were promised the Directors as the programs develop.

5. FINANCE

a. Approval of Demands

On motion of Director Jefferds, seconded by Director Badger, the Demands for the period ending April 30, 1977, were approved by unanimous vote. These totaled \$627,616.23. Resolution No. 1977-5-138 covers the Board action, which passed by unanimous vote. A copy of said resolution is attached to these Minutes for reference.

It should be noted that Director Cogswell questioned the insurance cost for non-district aircraft liability. The Director said he was shocked to learn that the District is paying \$665 for insurance for an aircraft owned by one of the Directors which is only very occasionally used in park business and which has not been used for park business for the last year. Director Cogswell said he could not see why a policy was carried at all on the aircraft and suggested that if an aircraft was needed, it could be hired and insured for each particular flight and save money.

Controller Meilandt advised that the insurance has already been obtained and would have to be cancelled and prorated. Director Badger suggested that staff investigate the cost per flight rates. The Controller said he would investigate and advise.

b. Report on Proposition 2 Funds

General Manager Trudeau advised that agreement had been reached on Proposition 2 funding in Alameda County. Mr. Trudeau said he was grateful for the support received from some of the cities, and particularly the support of Supervisor Bort and the able assist by Director Jefferds and Valerie Raymond. The District share of Proposition 2 funding, Mr. Trudeau said, will be \$539,000. In accordance with Board action at the April 19 Board meeting these funds were earmarked as follows:

San Leandro Bay Regional Shoreline	- Development - \$200,000
Garin Regional Park	- Development - \$200,000
Northern Alameda County Shoreline	- Development - \$139,000
(Emeryville, Berkeley Albany)	

E. ADDENDA TO AGENDA1. Resolution of Support - SB 1011 (Roberti).

Based on the information submitted to the Board on this item, Director Jefferds moved for adoption of the resolution of support. This was seconded by Director Jardin. Accordingly, Resolution No. 1977-5-139 was adopted by unanimous vote, a copy of which is attached to these Minutes for reference.

This legislation provides funds to cities, counties, and regional districts to establish projects to transport people from within urban areas to regional and state parks and recreation areas and facilities.

2. Approval to hire Six Seasonal "Beach Rangers" and Job Description.

Based also on the information submitted in the Board packet, and presentation by Christian Nelson, Chief of Parks and Interpretation, on this new program, Director Jardin moved for approval of the job description and the hiring of six seasonal "Beach Rangers". Accordingly, Resolution No. 1977-5-140 was adopted by a vote of 6 to 1, with Director Badger again casting a "no" vote, inasmuch as this program was related to the 1977/78 budget. A copy of the resolution is attached to these Minutes for reference. A budget of \$31,000 is established for the program for salaries, uniforms and radios.

3. Approval to hire Six Nine-Month Public Safety Officers.

Based on the information in the Board packet, Director Jefferds moved to approve the hiring of six nine-month permanent Public Safety Officers, replacing ten six-month seasonal officers. Director Cogswell seconded the motion. Accordingly, Resolution No. 1977-5-141 was adopted by a vote of 6 to 1. Director Badger cast the "no" vote, stating that it would be better to have more Public Safety Officers on duty for the six seasonal months of heaviest use of the parks, than fewer officers for the longer period of time.

Chief of Public Safety Larry Olson supported the change, stating that it would provide greater flexibility and capability in handling public safety problems and with the Beach Rangers would provide the necessary backup needed for emergency situations. Mr. Olson also stated that the use season starts earlier and continues into the fall months. A copy of the resolution is attached to these Minutes for reference.

F. COMMUNICATIONS

Although quite a bit of correspondence was received and acknowledged, General Manager Trudeau called specific attention to a letter from the East Bay Dischargers Authority inviting the District to designate a representative to participate in their Reclamation Policy Committee. Mr. Trudeau recommended that Mr. Crutcher be appointed, inasmuch as he has been attending their meetings and is knowledgeable on the subject. Mr. Trudeau also stated that the Park Advisory Committee will be making an appointment to the committee as well, at its next meeting. Director Jefferds moved for appointment of Mr. Crutcher. Director Cogswell seconded the motion. Mr. Trudeau said he would respond to the letter.

The letter and petition prepared by voters and taxpayers of Orinda opposing construction of a road through Gateway Valley from Highway 24 to the Town of Moraga was acknowledged. No Board action was taken.

A number of letters on the Las Trampas Trail were received and acknowledged, to be considered at the time the matter is again the subject of a public hearing and brought before the Board.

G. COMMENTS: GENERAL MANAGER, BOARD, PUBLIC

General Manager Trudeau suggested that the next Board meeting be held in the evening in Hayward at the Public Works Auditorium. As there was no objection, the General Manager would proceed on that basis.

Mr. Trudeau advised that AB-854 regarding the Board's compensation was passed unanimously by the Assembly Local Government Committee and will next be heard by the Assembly. No problems were anticipated. A report of legislation had been submitted to the Board by Mr. Trudeau regarding the CPRS Legislative Committee meeting in Sacramento, April 27.

Mr. Kent reported that there are picket signs at the Tilden Golf Course, which is a local strike among the employees. Mr. Kent stated that in talking with Sandy Burns he expressed confidence that it will be resolved shortly. It was suggested that some pressure be brought to bear to make sure that negotiations are moving along on any issues the golf course employees may have.

General Manager Trudeau presented Controller Ralph Meilandt with a five year service pin, having completed five years of service as the Controller for the District on May 1, 1977. Mr. Meilandt received the Board's, as well as the staff congratulations.

Director Cogswell presented the Board with a plaque which was handed to him at a meeting from California Association of Park and Recreation Commissioners-Board Members Branch, which was the organization award to the Hayward Area Shoreline Planning Agency, the Hayward Area Recreation and Park District, the City of Hayward, and the East Bay Regional Park District "for their outstanding contributions to the field of recreation and their foresight in planning and creative involvement".

Director Cogswell also announced the appointment of Fred Castro of 1260 F Street, Union City as his representative on the Park Advisory Committee. Director Cogswell said that Mr. Castro has been on the Union City Park and Recreation Commission for 12 years and is the Planner and Estimator for Federal Public Works Projects. Dr. Cogswell suggested Mrs. Castro as the alternate. Director Jefferds moved to approve the appointments. Director Kessel seconded the motion, which passed by unanimous vote.

Director Kessel complimented the General Manager for the legislative report and advised that the Board Legislative Committee will be meeting this week. Director Kessel suggested that the employees be sent an annual summary of the benefits which they have regarding their insurance, retirement, medical coverage. Chief of Administration Robert Owen advised that an annual statement on the retirement plan was negotiated in the new agreement and that the other benefits are outlined in the labor agreement which is sent to all employees. General Manager Trudeau said that he was in agreement that such a summary was long overdue and was something which he did when he was in the Public Information office, but which has not been done in recent years.

Director Kessel also suggested that some sort of program be established whereby the

Directors can visit the parks, commenting that because of the amount of material he has to read on District matters, there seems to be less and less time to visit the parks. President Leavitt invited Mr. Kessel to participate in his sessions at various parks. It was also suggested that a field trip to some of the new acquisitions be scheduled soon. General Manager Trudeau also suggested that Director Kessel join the department heads who visit the parks during the summer months on a regular schedule. Chief of Public Safety Olson also suggested that if any of the Directors wished to ride during the weekend with one of the Public Safety Officers he would be welcome to do so.

Director Jefferds said she had received a call ^{from} for a concerned citizen about the possible construction of towers on Mt. Diablo and wondered if the Board should take a stand on this. Mr. Hornbeck advised that this is something that he and Mr. Crutcher could look into. Mr. Crutcher also advised that he will be attending a meeting on that very subject and will be monitoring that. President Leavitt said the District had adopted a policy which deals with the District parks. Director Jefferds requested she be advised how the meeting which Mr. Crutcher planned to attend comes out.

Director Jardin appointed Alton Gibbs to the Park Advisory Committee, advising that Mr. Gibbs was a member of the San Leandro Recreation and Park Commission, active in the shoreline and works for the R. G. Carter Company. Director Badger moved to approve Mr. Gibbs to the Committee. Director Cogswell seconded the motion, which passed by unanimous vote.

Director Badger introduced Bill Mariati of Pinole as the prime mover in the recovery of the historic boat from the Pinole Harbor and is also the co-chairman of the Contra Costa Coastal Corridor Parks. Mr. Mariati distributed a brochure on what the group is trying to accomplish.

Director Cogswell extended compliments to Gary Tate for the way the meeting of the area regional park districts was handled this past weekend. It was well done, he said.

President Leavitt stated that it was appropriate that a committee be formed to study the District's total insurance needs and to devise and outline some type of program whereby others can openly bid. President Leavitt said he would chair the committee and appointed Directors Costa and Kessel as the other two members of the committee with the first meeting to be held some time in June.

President Leavitt encouraged the Directors to attend the public hearings held by staff in their wards and to try to make a special effort to attend.

President Leavitt suggested that more Directors be mentioned in the news releases from the District. One way of eliminating the thought that the Directors are inaccessible is to get their names in print more often.

General Manager Trudeau introduced his Administrative Assistant Judy Walsh, who has taken over Mr. Bettencourt's former assignments. Miss Walsh was welcomed aboard by the Directors.

As a last item of business before the Board adjourned President Leavitt announced that in the Executive Session the General Manager was authorized to get an appraisal on the new proposed Oyster Bay Shoreline.

H. ADJOURNMENT

As there was no further business before the Board, the meeting adjourned at 6:00 p.m.

Respectfully submitted

Harold R. Luhtala, Secretary



EAST BAY REGIONAL PARK DISTRICT

May 3, 1977

Progress Report to the Board
East Bay Regional Park District

Subject: San Francisco Bay Shoreline

Recognizing the regional importance of the San Francisco Bay Shoreline, the Shorelines Committee was first concerned with the dimensions of the 115 miles of Bay Shoreline encompassed in the District boundaries, in Alameda and Contra Costa Counties. We have devised a Shorelines System which divides the entire area into Units and Sub-units, in order to organize the information required for our assessments and evaluations. (1)

The data for each Sub-unit will be consolidated separately, with a map reference, so it will be possible to distinguish shoreline types and unique features. These elements will then be put into the context of public accessibility and use (both existing and potential) with other relevant factors such as plans, jurisdictions, regulatory agencies, etc. (2) The Sub-unit pages will serve as working sheets for the Committee in providing a data base for recommendations and reports to the Board.

The Sub-unit preliminary compilation (3) , provided by Staff, has identified areas in which more information is required, and there will no doubt be further refinement as our work continues. Additional data will also be entered as developments occur through actions of other agencies; the work sheets are considered to be dynamic, reflecting current information in all areas.

Committee discussions have addressed two specific areas: 1. Suggestion of Director Badger that the District consider the proposal of a Citizen Advocate group that we explore with them the possibilities of a Contra Costa Coastal Corridor-Park; and 2. The Committee's concern that the District move to implement our present Shoreline commitments. A commitment of long standing in the Hayward Shoreline area is before you in the form of a Resolution from the Shorelines Committee, which is consistent with the recommendations of the Finance Committee for the 1977/78 Budget.

With the Board's approval, the Committee will continue to meet monthly, following the Shorelines System approach, and will report to the Board as our work progresses.

The Staff, particularly the team working under Peter Koos of P&D, has done a monumental job in a very short time frame, of consolidating information on hand, providing maps and detailed data. The Committee will be receiving further installments for the Unit sheets, including "alerts" for certain areas as circumstances may justify.

The Committee sees this compilation as Phase I of a more complete study, which will address other items such as Master Plan exemplars, cost-benefit assessments, etc. in later Phases. We welcome any comments or questions from the Board at any time - please let us know any interests or suggestions you may have.

Mary Jefferds
Chairperson, Board
Shorelines Committee

- (1) Attachment: East Bay Shoreline System
- (2) Attachment: Shoreline System-Pertinent Elements
- (3) Attachment: Sample Sheet and Map-Unit C4

5-3-77

BOARD SHORELINES COMMITTEE

EAST BAY SHORELINE SYSTEM - Unit Designations

Alameda County (60 miles: including 10 miles estuary)(+10 miles Refuge)

- UNIT A Sub-unit 1 Wildlife Refuge to Highway 92 (South Hayward)
 Sub-unit 2 Highway 92 to Grant Ave. (No. Hayward, San Lorenzo)
 Sub-unit 3 Grant Ave. to Marina Blvd. (San Leandro)
- UNIT B Sub-unit 1 Marina Blvd. to High Street (San Leandro, Oakland, Alameda)
 a. Outer shore including Oyster Bay
 b. San Leandro Bay and environs
 Sub-unit 2 High Street to 7th Street (Alameda, Oakland)
 a. Outershore of Alameda
 b. Estuary
 Sub-unit 3 7th Street to Ashby (North Oakland, Emeryville, Berkeley)
 Sub-unit 4 Ashby to County Line (Berkeley, Albany)

Contra Costa County (55 miles)

- UNIT C Sub-unit 1 County line to Ferry Point (South Richmond)
 Sub-unit 2 Ferry Point to San Pablo Canal (Pt. Richmond)
 Sub-unit 3 San Pablo Canal to Garrity Creek (North Richmond)
 Sub-unit 4 Garrity Creek to Carquinez Bridge (Pinole, Hercules, Rodeo, Selby)
- UNIT D Sub-unit 1 Carquinez Bridge to Benicia Bridge (Crockett, Port Costa, Martinez)
 Sub-unit 2 Benicia Bridge to PG&E Plant (Martinez, West Pittsburg)
 a. Benicia Bridge to Weapons Station East
 b. Weapons Station East to PG&E Plant
 Sub-unit 3 PG&E Plant to Big Break East (Pittsburg, Antioch, Oakley)
 a. PG&E Plant to Antioch Bridge
 b. Antioch Bridge to Big Break East

BOARD SHORELINES COMMITTEE

EAST BAY SHORELINE SYSTEM - Pertinent Elements

1. Identification of significant existing and potential natural features of bay or river; shoreline proper (mud, sand, rock, marsh, etc.); and contiguous upland areas.
 - a. acreage and mileage of separate shoreline types (see above)
 - b. plant and animal life
 - c. wind and other weather patterns
2. Identification of historical/archeological/paleontological features (officially recognized or suggested by interest groups).
3. Assessment of existing and potential water quality.
4. Assessment of existing and potential access areas.
5. Assessment of compatibility with trail systems, existing and potential.
6. Identification and assessment of existing and potential areas for public use (parks and recreational/educational facilities)
7. Identification of completed and in progress plans and planning issues.
 - a. Dimensions and specifics of plans (general, zoning)
 - b. Planners (state, regional, local agencies)
 - c. Park advocate interest groups (governmental, citizen)
 - d. Joint agencies (state, regional, local)
8. Identification of pertinent jurisdictions - general power governments.
9. Identification of regulatory agencies (applicable rules and regulations; bay, shore, water, air fish & wildlife)

1. Natural Features

Existing:

- a. Shoreline Types: 8.5 miles along San Pablo Bay, including 3.75 miles of mudflats, 0.75 miles of marshes at Pinole Creek and at Selby, 0.25 miles of sandy beaches at Wilson and Lone Tree Points, 1.50 miles of rocky bluffs, and 2.25 miles of filled shoreline fronting on deep water. Streams emptying into Bay include Garrity, Pinole, Refugio and Rodeo Creeks.
- b. Plant and Animal Life: The cordgrass and pickleweed marshes at Pinole Creek (75 acres) are in excellent condition. The small pickleweed Selby marsh (10 acres) is cut off from Bay. Upland areas include many native grasses. The extensive mudflat areas provide food sources for a large shorebird and fish population, as well as migratory waterfowl. The marshes provide cover for rodents, including the salt marsh harvest mouse, and other mammals. Deer or other larger animals approach the shoreline west of Crockett where suitable habitat is available.
- c. Weather Patterns: Winds are generally westerly. Fogs may occur throughout the year, with dense ground level Tule fogs during winter.

Potential:

New marshes are forming along the mudflat shore between Garrity Creek and Wilson Point. The Pinole Creek marsh is rapidly expanding and a beach area is developing at Rodeo.

2. Historical, Archeological and Paleontological Features

Recognized:

Fernandez mansion, C&H Plant and Selby Smelter Site (Contra Costa Register).

Suggested:

3. Water Quality

Existing:

There are sewage outfalls at Pinole, Rodeo and Crockett-Valona Sanitary District plants, a leach pond at Tormey, and industrial outfalls at Union Oil, C&H and Hercules, with no problems reported.

Potential:

The West Contra Costa County Wastewater Management Program proposed to consolidate facilities, improve treatment and extend outfalls.

4. Access Areas

Existing:

At end of Tennert Ave., Pinole, adjacent to treatment plant (BCDC); California St., Rodeo, at treatment plant (BCDC); and west of Carquinez Bridge (BCDC). Beach and marina at Lone Tree Point (admission fee 50¢).

Potential:

Behind residential area at Hercules (EBRPD lands). Hercules General Plan shows a shoreline band open space. Shoreline access may be included in the Selby/Tormey redevelopment.

5. Trail System Compatibility

Existing:

Potential:

Proposed bike/hike/horse trail along shoreline would connect existing public areas and would provide additional public access along much of the remaining shoreline. Crossing the S.P. tracks will be a problem.

6. Public Use Areas

Existing:

Montara Bay Community Park, Pinole, and Tormey Gardens, Contra Costa County, are close to the shoreline. Current use pattern includes fishing, motorbike riding and walking along much of the remaining shoreline.

Potential:

Hercules open space, including staging area and shoreline trail (EBRPD). Pinole Creek linear park. Space on the west side of S.P. tracks and environs.

7. Plans and Planning Issues

Completed:

- a. Local Plans: City of Pinole, General Plan 2000 (1967); City of Pinole, Recreation and Open Space Element (1973); City of Hercules, General Plan 1990 (1974)
- b. Regional Plans: Contra Costa County Open Space Element (1973)
- c. Interest Groups: Contra Costa Coastal Corridor Parks
- d. Joint Agencies:

In Progress:

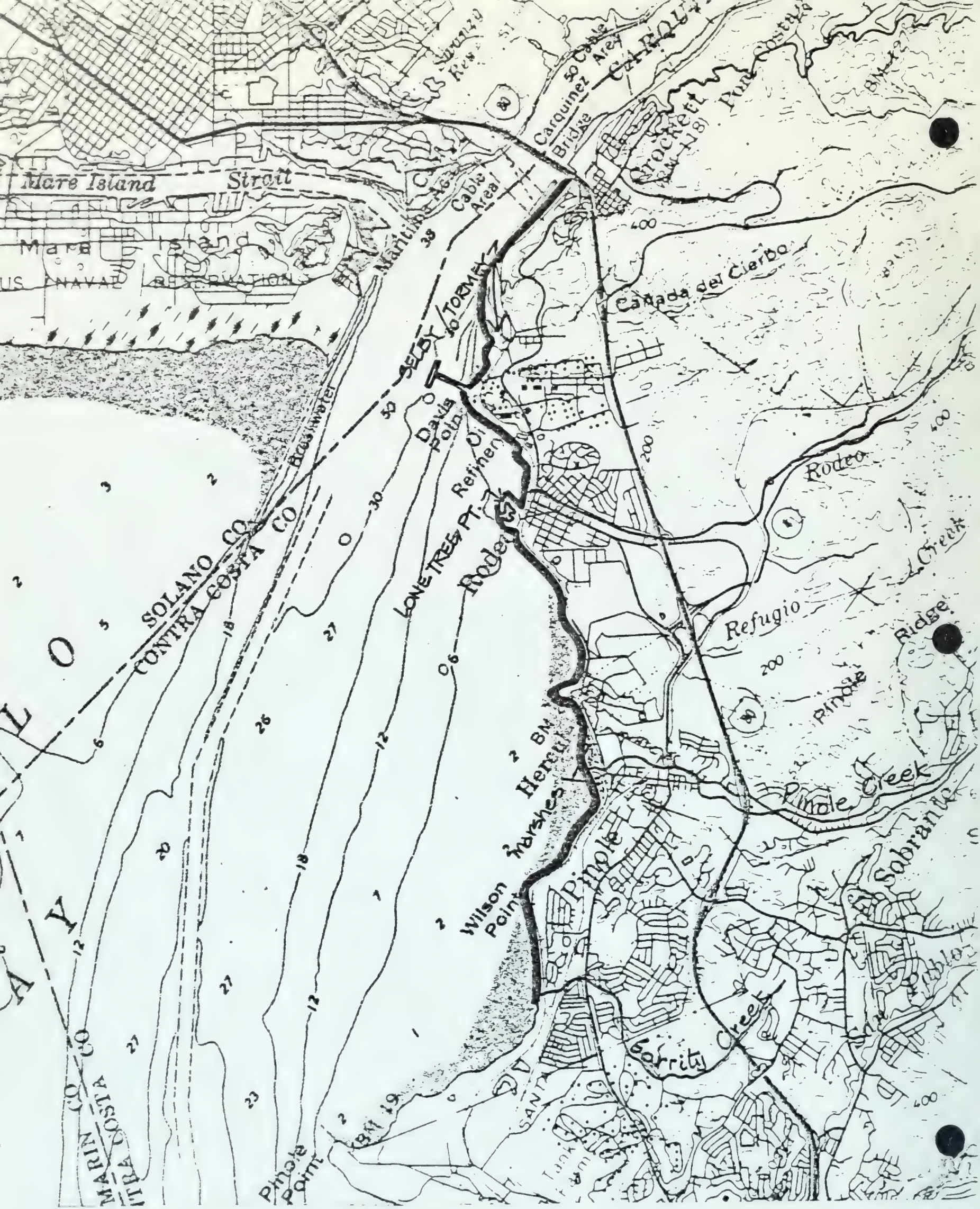
City of Pinole and City of Hercules, revisions to the General Plans (mostly to inland areas)

8. Pertinent Jurisdiction

Contra Costa County, City of Pinole, City of Hercules

9. Pertinent Regulatory Agencies

U. S. Army, Corps of Engineers; BCDC



UNIT C-4

Garrity Creek to Carquinez Bridge



EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-124

May 3, 1977

AUTHORIZATION FOR RENTAL AGREEMENT WITH RUTH CHERRINGTON FOR RESIDENCE
AT DIABLO FOOTHILLS LAND BANK

WHEREAS, property acquired by the District for Diablo Foothills (presently undedicated) includes a residence which is now occupied by Ruth Cherrington; and

WHEREAS, staff has recommended entering into a rental agreement with Mrs. Cherrington for safekeeping of that property for a limited period of time commencing May 1, 1977;

NOW, THEREFORE, BE IT RESOLVED that the form of "Park Residence Rental Agreement" between Ruth Cherrington and the District for residential property known as 1500 Castle Rock Road, Walnut Creek, California, for a term commencing May 1, 1977, and ending May 1, 1979, at a rental of \$175.00 per month, and otherwise in form and upon the terms presented to the Board this date is hereby approved and the President and Secretary are authorized to execute and deliver such agreement on behalf of the District; and

BE IT FURTHER RESOLVED that the General Manager is hereby instructed to obtain the certificates of insurance described in Paragraph 8 of the Rental Agreement and to otherwise cause performance of all the terms and conditions incumbent upon the District to perform pursuant to such Agreement.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-125

May 3, 1977

APPROVAL OF TRANSIT PROGRAM TO REGIONAL PARKS FOR THE SUMMER OF 1977
WITH A/C TRANSIT DISTRICT

WHEREAS, A/C Transit District has approved a Summer Transit Program to regional parks in the summer of 1977, subject to an East Bay Regional Park District subsidy of \$3,450.00 and promotional work; and

WHEREAS, the Summer Transit Program will enhance recreation and park opportunities for minorities, senior citizens, lower income groups and the public at large;

NOW, THEREFORE, BE IT RESOLVED that the A/C Transit District Program to regional parks for the summer of 1977 is hereby approved; and

BE IT FURTHER RESOLVED that the sum of \$3,450.00 is hereby committed from the General Fund, Fund Balance (Account No. 9-20-323) to be expended in the 1977/78 fiscal year budget for payment to A/C Transit District for such transit program and the General Manager is hereby directed to provide at least a \$2,550.00 in-kind publicity and promotional effort to help familiarize the public with such bus program.

Moved by Director Mary Lee Jefferds, seconded by Director Paul J. Badger, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-126

May 3, 1977

APPROVAL FOR REVISIONS TO PREPARATOR AIDE JOB DESCRIPTION

WHEREAS, staff has demonstrated the need to eliminate the existing section of the Preparator Aide's job description entitled ADDITIONAL PROVISIONS; and

WHEREAS, deletion of this provision will attract more qualified applicants to fill this position; and

WHEREAS, the long-range projection for the needs of the services of this position have been determined;

NOW, THEREFORE, BE IT RESOLVED that the section entitled ADDITIONAL PROVISIONS be deleted from the Preparator Aide job classification description.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-127

May 3, 1977

SUPPORT OF ASSESSMENT OF THE PROPOSED ABANDONMENT OF THE ATCHISON, TOPEKA AND SANTA FE RAILROAD RIGHT OF WAY AS HAVING OPEN SPACE, RECREATION, EDUCATION, AND NON-MOTORIZED TRANSPORTATION VALUES

WHEREAS, the Atchison, Topeka and Santa Fe Railroad Company, under Paragraphs (18)-(20) of Section 1 of the Interstate Commerce Act, has filed application for authority to abandon a line of railroad, extending from mile-post 0.5 in Richmond to mile post 9.7 in Oakland, a distance of approximately 9.2 miles in Contra Costa and Alameda Counties, California; and

WHEREAS, if the Interstate Commerce Commission so rules, the abandonment of the above-mentioned section of right of way could be granted as soon as September 1977; and

WHEREAS, the right of way offers extraordinary potential of regional and local significance, as a recreational, environmental, educational, and non-motorized transportational corridor, to include such uses as parks, mini-parks, tot lots, commuter and recreational foot trails and bikeways, nature study areas, community gardens, jogging trails, fitness trails and/or other park, recreational and educational uses; and

WHEREAS, such open space corridors in urban areas are rapidly disappearing while becoming increasingly more important in need and demand and the opportunity to preserve such areas as open space, once lost, becomes economically, politically and ecologically almost impossible to regain; and

WHEREAS, the Interstate Commerce Commission has recognized the properties proposed to be abandoned are suitable for other public purposes and has stated in the Environmental Threshold Assessment Survey that the properties shall not be sold, leased, exchanged or otherwise transferred without allowing for a period, not to exceed 120 days after the effective date permitting the abandonment, for acquisition for public purposes; and

WHEREAS, there is an urgency to assess the recreational, educational and non-motorized transportational opportunities of the proposed abandonment to allow for the appropriate action upon abandonment if the Interstate Commerce Commission permits it;

NOW, THEREFORE, BE IT RESOLVED that this Board of Directors hereby finds that:

1. The Atchison, Topeka and Santa Fe Railway right of way proposed abandonment has potential open space, recreation, education and non-motorized transportation values and that to determine the extent of these values an assessment of the abandonment corridor should be conducted.
2. Such assessment should include, but not be limited to: local potentials, opportunities and concerns; a map or maps showing the right of way and a

conceptual identification of the recreational analysis; and a discussion of the potential funding.

3. Such assessment is of regional significance and should be completed in a timely fashion and in cooperation with the cities, districts and counties affected by the proposed abandonment.

4. This Board should be informed of the progress and appraised of the need for additional actions on their part at the appropriate times.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-128

May 3, 1977

APPROVAL OF INDEMNIFICATION AGREEMENT WITH CONTRA COSTA COUNTY

WHEREAS, this Board of Directors has agreed (by Resolution No. 1976-10-311 adopted October 26, 1976) to share up to \$61,044 of its Block Grant Funds from the Roberti Urban Grants Program with six Contra Costa County Special Service Areas; and

WHEREAS, the Park District is required to be the applicant for such grants and District Counsel is required to make certain certifications with reference thereto; and

WHEREAS, both the District and the General Counsel could incur liability to the State of California pursuant to such application and such certification in the event any of the County Service Areas did not comply with all of the terms and requirements of such Grants, Contra Costa County being willing to indemnify against such claims and liability;

NOW, THEREFORE, BE IT RESOLVED that the form of "Indemnification Agreement" effective April 26, 1977 in the form presented to the Board this date with Contra Costa County whereby Contra Costa County indemnifies the District and District's General Counsel against claims and all other liability in connection with the use by six of County's Special Service Areas of up to \$61,044 of District's Block Grant Funds from the Roberti Urban Grant Program is hereby approved and the President and Secretary are hereby authorized to execute and deliver same on behalf of the District.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-129

May 3, 1977

AUTHORIZATION TO ENTER INTO CONSULTANT'S AGREEMENT WITH EDWARD JEWELL

WHEREAS, there are critically needed minor capital projects in the proposed 1977/78 Budget, including handicapped and interpretive facilities; and

WHEREAS, Planning and Design staff is scheduled to complete an unusually heavy number of major capital projects during FY 1977/78, and because of limited staff and space, must engage outside consultants to perform certain capital projects; and

WHEREAS, Edward Jewell is familiar with District facilities, and is uniquely experienced in Regional Park facilities design and has sufficient background to develop a modular District service yard plan for District park-land facilities along with specific recommendations for the following:

1. District Service Yard Facilities at:

- | | |
|-------------------|--------------------------------|
| a. Don Castro | f. Las Trampas |
| b. Point Pinole | g. Cull Canyon |
| c. Anthony Chabot | h. Crown Beach/San Leandro Bay |
| d. Redwood | i. Martinez Waterfront |
| e. Garin | j. Isabel/Brooks/George Miller |

2. District Interpretive Facilities at:

- a. Robert Crown Shoreline Visitors' Center
- b. Del Valle Visitors' Center
- c. Coyote Hills Visitors' Center

3. Modifications to District facilities to provide access for handicapped individuals, including:

- a. Design of chemical toilets for the use by handicapped.
- b. Modifications to existing District restroom facilities to provide for the handicapped.
- c. Development of standard details to modify curbs, parking lots, and existing architectural barriers which currently exist at District facilities to open these areas to use by handicapped individuals.

NOW, THEREFORE, BE IT RESOLVED that the General Manager be authorized to negotiate a contract with Edward Jewell for duly authorized minor project consultant services at an hourly rate of \$11.00, not to exceed total fees and reimbursable expense of \$15,000 and otherwise upon the normal terms and conditions for a District Consultant and subject to approval as to form by District Counsel; and

BE IT FURTHER RESOLVED that the sum of \$15,000 will be provided in the professional services account of the Planning and Design Budget Account

No. 4-10-551 from which payments falling due under such agreement shall be made.

Moved by Director Mary Lee Jefferds, seconded by Director Walter H. Costa, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Director Paul J. Badger.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-130

May 3, 1977

APPROVAL TO PURCHASE MORRISON TRAILBLAZER

WHEREAS, Staff has demonstrated the need to purchase one Morrison Trailblazer prior to budget approval; and

WHEREAS, this purchase should be made prior to the approval of the 1977/78 fiscal year budget;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. This Board finds that there is no other source than Roberts Harvester, Inc. of Portland, Oregon, for purchase of the Morrison Trailblazer or similar equipment to do the same trail construction work, and that therefore bidding would be a useless, wasteful process that could not benefit the District but rather would result in extra costs and costly delays.
2. The President and Secretary are authorized to execute an agreement for purchase of the equipment at a cost not to exceed \$10,000, delivered and including all taxes, upon terms approved by the General Manager as to content and District Counsel as to form.
3. The sum of \$10,000 is hereby appropriated from Fiscal Year 1977/78 Budget to Account No. 5-11-578 for payment of the purchase price, freight and taxes.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Director Paul J. Badger.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-131

May 3, 1977

APPROVAL TO CALL FOR BIDS FOR REMODELING VISITORS CENTER
CROWN MEMORIAL BEACH

WHEREAS, staff has demonstrated the need to complete the District's commitment to remodel the Visitors' Center at Crown Memorial Beach; and

WHEREAS, the Alameda Rotary Club has previously donated \$16,076 toward this goal;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The General Manager is authorized to call for bids for completion of the remodeling of the Visitors' Center Project at Crown Memorial State Beach.
2. The project is categorically exempt under Section 15101 of Appendix A of the District's CEQA Guidelines and the General Manager shall duly file a Notice of Exemption.

Moved by Director Howard L. Cogswell, seconded by Director Walter H. Costa, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors Paul J. Badger and Mary Lee Jefferds.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-132

May 3, 1977

APPROVAL TO CHANGE THE OPERATIONAL SUPERVISION OF
BLACK DIAMOND MINES REGIONAL PRESERVE

WHEREAS, staff has demonstrated the need to convert Black Diamond Mines Regional Preserve to an interpretive-oriented park stressing education and family use; and

WHEREAS, to initiate such activities and programs to accomplish this goal, a change in supervisory classification from that of Park Supervisor to Resident Naturalist is deemed appropriate;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Approval is hereby given to proceed with conversion of Black Diamond Mines Regional Preserve to an interpretive orientation.
2. The primary resident employee at Black Diamond Mines Regional Preserve shall be a Resident Naturalist, rather than Park Supervisor.
3. The General Manager is authorized to promptly hire an additional Resident Naturalist from the existing selection pool now in effect to fill such position.

Moved by Director Howard L. Cogswell, seconded by Director Walter H. Costa, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors Paul J. Badger and Mary Lee Jefferds.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-133

May 3, 1977

RESOLUTION EXPRESSING APPRECIATION TO JAMES B. ROOF FOR HIS LEADERSHIP AND DEDICATION DURING 40 YEARS AS SUPERVISOR OF THE REGIONAL PARK'S BOTANIC GARDEN

WHEREAS, James B. Roof has served as Supervisor of the Botanic Garden for 40 years, having been hired in 1936 as Park Forester to plant trees in Tilden Park; and

WHEREAS, Mr. Roof is the person who conceived and built the Native Plant Garden in Tilden Regional Park; and

WHEREAS, he has distinguished himself as a unique expert in propagating rare and difficult native plants, being personally responsible for preserving some species that are now extinct elsewhere; and

WHEREAS, his qualities of good judgment and horticultural leadership prompted park workers and park users to establish and expand the now world-renowned Botanic Garden; and

WHEREAS, he has served his community unselfishly through numerous other contributions to Botanical interests;

NOW, THEREFORE, BE IT RESOLVED that this Board of Directors hereby expresses its heartfelt appreciation to James B. Roof for his many contributions and past dedication as he vacates the position of Supervisor of the Botanic Garden upon his retirement; and

BE IT FURTHER RESOLVED that the title of Director Emeritus of the Regional Parks Botanic Garden is hereby bestowed on Mr. Roof in recognition of his scholarly achievements and contributions to the District; and

BE IT FURTHER RESOLVED that this Board extends its best wishes to Mr. Roof for a full and active retirement.

Moved by Director Kessel, seconded by Director Jefferds, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-134

May 3, 1977

LAFAYETTE/MORAGA TRAIL - AUTHORIZATION TO ENTER INTO LICENSE AGREEMENT
WITH THE TOWN OF MORAGA FOR TRAIL CONSTRUCTION ON CALTRANS PROPERTY
AND AUTHORIZATION TO CALL FOR BIDS

WHEREAS, pursuant to Board Resolution No. 1975-7-130, the firm of Inouye, Singer & Hodges was retained to assist in planning for a regional trail to be known as the Lafayette/Moraga Regional Trail (the "Project"); and

WHEREAS, the Master Plan requires preparation and consideration of a Resource Analysis and Land Use-Development Plan for the Project, the Resource Analysis and the Land Use-Development Plan having been adopted pursuant to Resolution No. 1976-2-35, dated February 3, 1976; and

WHEREAS, the Board, under Resolution No. 4610, authorized filing of a Negative Declaration covering the Project which was filed in July, 1974; and

WHEREAS, the Lafayette/Moraga Trail Advisory Committee, the Town of Moraga and Staff have agreed upon a route on the Caltrans property and a public hearing has been held thereon as required by the District's Master Plan; and

WHEREAS, Staff has negotiated a License Agreement with the Town of Moraga for use of a portion of the Caltrans property for the development and operation of a segment of the Lafayette/Moraga Trail; and

WHEREAS, District has sufficient funds in the Lafayette/Moraga Trail construction budget to complete the Caltrans section of the Trail;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The President and Secretary are hereby authorized to execute the License Agreement between the East Bay Regional Park District and the Town of Moraga in the form presented to the Board this date, with the deletion of the last clause (commencing with the word "except") of Paragraph 9, subject to non-substantive changes approved by District Counsel.
2. The General Manager is authorized and directed to call for bids for construction of the Caltrans segment of the Lafayette/Moraga Trail between Bollinger Canyon Road and Moraga Road in the Town of Moraga.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger. Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-135

May 3, 1977

ACCEPTANCE OF ACQUISITION EVALUATION REPORT ON 7.2 ACRES H. LEE FOWLER, JR.
AND ELSIE G. FOWLER PROPERTY FOR ADDITION TO WILDCAT CANYON REGIONAL PARK

WHEREAS, the East Bay Regional Park District is considering acquisition by purchase of 7.2 acres, more or less, of H. Lee Fowler, Jr. and Elsie G. Fowler property for addition to Wildcat Canyon Regional Park; and

WHEREAS, Staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation Report covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation Report presented to and considered by the Board this date, covering 7.2 acres, more or less, of H. Lee Fowler, Jr. and Elsie G. Fowler property for addition to Wildcat Canyon Regional Park, is hereby accepted for filing, and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan.

Moved by Director Paul J. Badger, seconded by Director Mary Lee Jefferds, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-136

May 3, 1977

AUTHORIZATION TO PURCHASE H. LEE FOWLER, JR. AND ELSIE G. FOWLER PROPERTY
AT WILDCAT CANYON REGIONAL PARK

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed, all in accordance with the District's Master Plan; and

WHEREAS, by Resolution No. 1977-5-135 adopted May 3, 1977, this Board accepted an Acquisition Evaluation Report on the 7.2 acres, more or less, of H. Lee Fowler, Jr. and Elsie G. Fowler property at Wildcat Canyon Regional Park; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that this Board authorizes and directs the President and Secretary to exercise its option to purchase under that certain Option to Purchase Real Property between the District and H. Lee Fowler, Jr. and Elsie G. Fowler, dated April 21, 1977, and the President and Secretary are authorized to accept a Grant Deed to the property described as Assessor Parcel 573-050-002 and described in Western Title Insurance Company preliminary title report W-472505, dated April 12, 1977, as presented to the Board, and the President, Secretary, and General Manager are hereby authorized to complete the acquisition of said property, and the General Manager is directed to record same in the Official Records of Contra Costa County; and

BE IT FURTHER RESOLVED THAT \$130,000.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-59 to pay the purchase price of \$125,000.00 and title and escrow fees, appraisals, legal fees, and other expenses necessary to complete the acquisition.

Moved by Director Paul J. Badger, seconded by Director Mary Lee Jefferds, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-137

May 3, 1977

APPROPRIATION OF FUNDS FOR SHORELINE ACQUISITIONS AND DEVELOPMENT

WHEREAS, the East Bay Regional Park District and the City of Hayward are associated with the Hayward Area Recreation and Park District and other public entities in the Hayward Area Shoreline Planning Agency for the purpose of planning the acquisition and development of the Hayward Area Shoreline for public use and enjoyment; and

WHEREAS, the City of Hayward has previously acquired title to approximately 225 acres of shoreline property from the Fluor Corporation as an initial step in the implementation of the jointly developed Shoreline Plan; and

WHEREAS, it is the understanding of the Board of Directors of the East Bay Regional Park District that the City of Hayward is interested in conveying to the District its title to the former Fluor property for the amount equivalent to the cost of acquisition by the City of Hayward with the intention of using the sum of such reimbursement from the District for further acquisition and development of the shoreline by the City of Hayward; and

WHEREAS, the District recognizes that any public entity that acquires property along the shoreline to implement the HASPA Plan must purchase it at fair market value whether such acquisition be by the District or the City of Hayward;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Bay Regional Park District that the sum of \$1,000,000.00 is hereby appropriated from Supplemental Land Funds for land and water acquisition and development by the District within the areas encompassed in its Master Plan and the Plan of the Hayward Area Shoreline Planning Agency.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 3rd day of May, 1977; by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-138

May 3, 1977

APPROVAL OF DEMANDS - April 30, 1977

BE IT RESOLVED that the items set forth and as presented in the Demand Register for the period ending May 3, 1977, totaling \$627,616.23, are hereby approved and authorized for payment.

Moved by Director Mary Lee Jefferds, seconded by Director Paul J. Badger, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-139

May 3, 1977

RESOLUTION IN SUPPORT OF SB 1011 RECREATION TRANSPORTATION PROJECTS

WHEREAS, Senator David A. Roberti has introduced legislation providing funds to cities, counties, and regional districts to establish projects to transport people from within urban areas to regional and state parks and recreation areas and facilities; and

WHEREAS, this Board has reviewed the objective and provisions of such proposed legislation and desires to support same;

NOW, THEREFORE, BE IT RESOLVED that this Board finds that adoption of SB 1011 would be in the best interests of the citizens of the East Bay Regional Park District and would serve to promote the objectives and purposes for which the District was formed, and, accordingly, the East Bay Regional Park District does hereby support such legislation and urges its enactment; and

BE IT FURTHER RESOLVED that the General Manager is hereby directed to communicate a true copy of this resolution to all of the State Legislators whose districts coincide with the territory of the East Bay Regional Park District and to the Governor.

Moved by Director Mary Lee Jefferds, seconded by Director William F. Jardin, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-140

May 3, 1977

APPROVAL OF NEW CLASSIFICATION - BEACH RANGER (TEMPORARY-SEASONAL)

WHEREAS, staff has demonstrated the need to establish the new job classification entitled Beach Ranger;

NOW, THEREFORE, BE IT RESOLVED that a new job classification entitled Beach Ranger is hereby established in accordance with the following job description:

SEASONAL BEACH RANGER

Reports to: Zone Manager or Park Supervisor

General Function: Perform public service work in the operation of Regional Parklands, to assist District officers by performing Public Safety duties, including foot patrol of lakes and heavy-use areas, providing general information to the public, as well as performing limited duties in responding to emergencies relating to aquatic or other hazards, when required.

Principal Duties and Responsibilities: Will be in radio contact with Public Safety officers and Head Lifeguard; provide foot patrol at lakes and congested park locations to preserve the peace and help park users; may patrol some parks by automobile; provide information to park users regarding the parks and facilities; write detailed and accurate reports covering patrol observations and public complaints; reports fires; assist in traffic and crowd control; may be asked to fight fires; will provide security check at close-up time; serves reservations; check campsites, fishing permit and limits checks, public use in restricted areas, trail and dock conditions relative to safety; checks both private and rental boats for water safety requirements.

In addition, the Beach Ranger will be provided a portable floatation device for aquatic emergencies, such as swimmers and boaters in trouble, and will immediately notify the Head Lifeguard and Control 1 of emergency. Warns park users of any rule violation. Render first aid as required.

Minimum Qualifications:

1. A currently effective and valid driver's license is a condition of initial and continued employment in this classification.
2. Must possess or obtain a standard First Aid card issued by the American Red Cross prior to appointment.
3. Must be at least 18 years of age.
4. Must present a certificate of health prior to the examination showing good health and freedom from disabling defects and must include negative reaction to tuberculin testing.
5. Have equivalent to completion of the twelfth grade.
6. Must successfully pass a cardiopulmonary resuscitation class or provide a valid certificate.

Knowledge, Skills and Abilities:

Knowledge of water safety and Public Safety rules and regulations, of boating operations and boating rules; ability to work harmoniously with fellow employees and the public; ability to follow instructions and to maintain harmonious working relations with fellow employees and the public; willingness to work under adverse conditions.

As a Condition of Employment:

Beach Ranger may be required to work unusual hours, weekends and holidays for a limited seasonal period.

Salary Rate: \$4.73 hour

BE IT FURTHER RESOLVED that the salary range for such new classification shall be \$4.73/hour and a budget for the 1977 season is approved in the amount of \$31,000 for salaries, uniforms and radios.

Moved by Director William F. Jardin, seconded by Director Mary Lee Jefferds, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Director Paul J. Badger
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-141

May 3, 1977

APPROVAL TO HIRE SIX NINE-MONTH PERMANENT PUBLIC SAFETY OFFICERS
AND ALLOCATION OF FUNDS FOR THIS PURPOSE

WHEREAS, staff has demonstrated the need to hire six nine-month Public Safety Officers as soon as possible because of the heavy spring/summer activity now existing in the parks; and

WHEREAS, there is an approved Job Description for this position and there is a current Eligibility List with qualified applicants; and

WHEREAS, these six positions, along with the new classification of Seasonal Beach Ranger, will be substituted for the former 10 positions of Six-Month Seasonal Officer and this program has received the highest priority of middle management and staff;

NOW, THEREFORE, BE IT RESOLVED that the General Manager is hereby authorized to hire six nine-month Public Safety Officers as soon as possible.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 3rd day of May, 1977, by the following vote:

FOR:	Directors Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Director Paul J. Badger
ABSENT:	Directors none.

May 17, 1977

May 17, 1977

MINUTES
REGULAR MEETING
EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS

BART Headquarters
800 Madison Street
Oakland, California

2:00 p.m.

Tuesday, May 17, 1977

A. ROLL CALL

The meeting of the Board of Directors of the East Bay Regional Park District of Tuesday, May 17, 1977, was called to order at 2:00 p.m. by President Leavitt. The meeting was held in the Board Room of BART Headquarters, 800 Madison Street, Oakland.

Present: All Directors were present: Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.

Staff: General Manager Richard C. Trudeau, Asst.Gen.Mgr. Jerry D. Kent, Controller Ralph Meilandt, Chief of Administration Robert Owen, and Department Heads: Christian Nelson, Chief of Parks and Interpretation; Hulet Hornbeck, Chief of Acquisition; Lewis Crutcher, Chief of Planning and Design; Larry Olson, Chief of Public Safety; Linda Crew, Development Administrator; Grace Lewis, Acting Chief of Public Information; and Staff Members: Bill Gries, Donald Harms, Harold Luhtala, John Nicoles, Bob Flasher, and Tom Lynch. District Counsel: Deanna Lyon and Donn Black (Wendel, Lawlor, Rosen & Black).

Visitors: Visitors who signed the Log were Dan Belknap (415 Society), Jean Oates (Leslie Salt Co.), Allen Box (City of Fremont) and Lita Mather (PAC).

B. APPROVAL OF AGENDA

On motion of Director Kessel, seconded by Director Jefferds, the agenda for the meeting was approved by unanimous vote, including three addenda items.

C. APPROVAL OF MINUTES

Subject to typographical corrections, which included the spelling of Contra Costa County Supervisor Hasseltine's name (2nd paragraph, page 14) and the appointment of Fred Castro by Director Cogswell as an alternate on the Park Advisory Committee (2nd paragraph from the bottom, page 16), the Minutes for the Board meeting of May 3, 1977 were approved by unanimous vote, on motion of Director Cogswell, seconded by Director Jefferds.

D. BUSINESS BEFORE THE BOARD

1. CONSENT CALENDAR

On motion of Director Walter H. Costa, seconded by Director Mary Lee Jefferds, items b, d, and e under the Consent Calendar were approved by unanimous vote. The resolutions which were adopted by the motion are noted below.

- a. Approval of Agreement with Castro Valley Sanitary District for Chabot Nike Site Sewer Services and Approval of Amendment to Chabot Marina and Anthony Chabot Campground Sewer Services Agreement.

President Leavitt had requested that this item be removed from the Consent Calendar for

discussion and questioned the fact that the rate for the sewer service will be determined by dividing the total cost of operation and maintenance of the Sanitary District by the total gallons discharged (Third and Fourth Sections, page 3 of the Agreement). District Architect Donald Harms explained that since the park is outside of the service area of the Sanitary District, this was the simplest way for determining the rate. President Leavitt could not understand why the set rates of the Sanitary District did not apply, and hoped that some time in the future they could come up with a set fee.

Mr. Harms explained that the Castro Valley Sanitary District has been servicing the Las Cumbres Campground area for about three years at an average cost of \$350 per year, based on estimated flow. Director Jardin moved for approval of the two resolutions required. Director Costa seconded the motion. Accordingly, Resolution Nos. 1977-5-142 and 1977-5-143 were adopted by unanimous vote. Resolution No. 1977-5-142 approves an agreement with the Castro Valley Sanitary District for sewer service at the new Public Safety Headquarters, Anthony Chabot Regional Park. Resolution No. 1977-5-143 approves an amendment to the agreement with the Sanitary District for sewer service at the Chabot Marina and the Chabot Camping area. Copies of said resolutions are attached to these Minutes for reference.

b. Approval to purchase two Four-wheel Drive Cab-Chassis for conversion to Fire Trucks.

By the Consent Calendar motion Resolution No. 1977-5-144 was adopted by unanimous vote. A copy of said resolution is attached to these Minutes for reference and authorizes purchase of the two four-wheel drive truck cab chassis from Hopper-Hamond, Inc. of Berkeley at a total purchase price, including applicable taxes, for \$18,158.25.

c. Approval of Agreement with Four-One-Five Society, Inc.

By way of introductory comments, President Leavitt stated that the Four-One-Five Society has shown itself to be a reliable association doing the types of hard work under difficult conditions that the District's own people dislike doing, adding that he respected the employees concerns regarding work conditions.

Bob Flasher, President of Union Local 2428, supported the President's comment that the Four-One-Five Society has been working out fine on park projects, and said that the District crews are happy to have their efforts supplemented by the group. However, Mr. Flasher said, the union had two problems with the contract. First, that there were five unfilled vacancies on the Vegetation Management Crew, and second, the specific language in the contract about the use of 2-4-D amine for treatment of eucalyptus stumps and sprouts.

Mr. Flasher explained that it was the policy of Four-One-Five Society when they come to work for an agency, not to take away any jobs from people working in that agency, or to fill regular positions, but to supplement the work force and do the kinds of work that isn't getting done. Acceptance of the contract, Mr. Flasher said, would compromise the Society's principles, as well as impair the relationship between park workers and the Four-One-Five members because of this.

Also, Mr. Flasher said, listing 2-4-D chemical in the contract would force Four-One-Five Society into an ineffective and costly sprout control program, that the language in the contract should be broader, because 2-4-D does not work effectively on eucalyptus sprouts and that any chemical used in vegetation control should be carefully studied.

Mr. Flasher said, because of the Board's concern with environmental issues and the effect of chemicals on the environment and concern for providing the most economical services to the taxpayers, as well as the union's concern about the loss of five positions because of the contract, that the Board postpone action for two weeks to enable the parties to discuss the problems and arrive at a satisfactory solution.

Chief of Parks and Interpretation Christian Nelson responded to Mr. Flasher's comments. First, in response to Item No. 1 on the five unfulfilled positions, Mr. Nelson said, there was nothing in the District's policy that he was aware of that said when a certain size crew is provided to be an inefficient size, or is outside of the financial means of the District to support, or that more productive, less troublesome methods to accomplish the same work can be found that does not cost any existing employees jobs, that management can't move ahead to effect the savings and efficiencies.

Mr. Nelson said that everyone on the Vegetation Management Crew has their job and explained how the crew during the eucalyptus crisis was diminished in size over a period of time because of the consistent problems in trying to get efficient top dollar out of a very difficult form of work. Also on the use of 2-4-D, Mr. Nelson said the District has a clean bill of health from the proper agencies on its use.

Mr. Nelson felt that the District was not ready to go back and reconstitute a crew for sucker bashing and slash removal because it has not proved to be the means to do it and since the opportunity to continue this much needed work has arisen through the CEDA program and with the help of Four-One-Five Society willing to do this work, it accomplishes the same goal. As to whether the District has a legal contract obligation to the union to fill the five positions, Mr. Nelson said, it did not exist.

On the issue of 2-4-D, Mr. Nelson said, the only safety requirement for its use is to have water handy to wash off any that gets on your skin and minor items like that. Mr. Nelson said it was not considered a destructive agent and that to use it as a foliar spray on sprouts that are six or seven feet high is a useless waste of effort. That type of spraying program, Mr. Nelson said, has been discontinued. Mr. Nelson explained how the chemical was going to be used by Four-One-Five in stump treatment and suggested that the Ecology Committee give it top priority on the agenda at its next meeting, get it on the desk and get it out of the way. The first day that a new and better chemical comes along that is even safer and more effective, Mr. Nelson said, the District would be the first one to ask for a thorough investigation, assess its application and begin to use it. Mr. Nelson said he was sure that the Four-One-Five Society would not consider it a breach of contract to state a different chemical, if a better, safer chemical is available.

Mr. Nelson said that the group would be trained by the District for whatever programs are initiated in order that they would be effective to meet the District needs. Director Kessel asked a number of questions regarding the work that the Four-One-Five Society will be doing in the parks. In addition to the stump treatment, and slash removal, Mr. Nelson said, the group will be removing whatever salvable firewood is available, which will bring them another source of income. Mr. Nelson said the group would be trained not to remove the kinds of vegetation the District wants to save and re-establish. A Vegetation Management Specialist would be working directly with the group in a training program, Mr. Nelson said.

Mr. Nelson also explained that the Vegetation Management Crew because of necessity turned into a sucker basher crew and really was not doing vegetative management. What the crew is doing now is more vegetative management, Mr. Nelson said, under Grady Simril the District's horticulture specialist, which was probably the original intent before the eucalyptus situation developed.

Director Kessel asked if there was any lingering presence of 2-4-D and what its effect

on other flora and fauna would be. Vegetation Management Specialist John Nicoles explained the research that has taken place and stated that 85% of 2-4-D in some experiments has disappeared within 13 days of application, that application to plants is absorbed into plants almost 100% within an hour. There is very little evidence that the chemical moves in the soil, Mr. Nicoles said, that there is bacteria in the soil that helps break down the product.

Mr. Nicoles also stated that there was very little evidence to indicate that it has any effect on animal population, but noted that having no evidence does not indicate that it does not occur. Mr. Nicoles described the tests made on animals, including cattle, where the chemical was not carried into the milk, and the tests on human beings without any lingering problems. Mr. Nicoles said the 2-4-D product has been on the market for 35 years, is extensively used, with no ill effects determined as arising from its use during that period.

Director Kessel asked if staff considered burning. Mr. Nelson said this was a possibility, but under very restrictive conditions and that under those conditions everything goes, even the plant life they want to save. Mr. Nelson cited air pollution and fire control problems, as well, to deal with.

Director Kessel also wondered if the District was rushing the program along because of the chemical categorical exemption, not knowing what the CEQA requirements will be. Mr. Nicoles stated that under legislation just recently introduced a large number of economic poisons, including 2-4-D, would be exempt regularly and that the present exemption is just to maintain the "status quo" until such time as the legislation is completed. If the legislation passes, Mr. Nicoles said, use of the chemical will continue to be exempt.

Director Cogswell commented that the method of application of the chemical as detailed in the contract seemed to be the safest possible and would be the only way short of massive manpower and continued mechanical removal to get rid of the sucker growth and stumps. President Leavitt invited rebuttal comments from Mr. Flasher.

Flasher agreed with Dr. Cogswell that the methods shown in the contract were the most effective, but were ineffective in stopping eucalyptus from sprouting, that the chemical only delayed the sprouting another month and that the figures in the research studies were not accurate. Mr. Flasher recommended the only effective way to keep the stumps from sprouting is when you first cut down the tree, within 30 minutes, to apply the 2-4-D chemical to the cambium layer, which gets about an 80% kill. Regardless of all the studies that have been made, Mr. Flasher said, the sprouts do come back and a more effective method has to be found. This was the reason for requesting the delay, Mr. Flasher said.

President Leavitt said it appeared staff has researched the procedure and concluded that this method is the best around. Mr. Flasher said that management has the right to leave any positions unbudgeted and unfilled, that the union has no contractual right in this matter, but their concern is that this is not the only case where this is going on, that roads and trails crew work is being performed under the CEDA program at Mission Peak, that every docent the District has eliminates the need to hire a naturalist, and that although none of their members have been laid off, they are concerned about the number of people that are really employed, directed and under the supervision of park personnel, and the increase in people working on the outside and under more loose arrangements.

Mr. Flasher also said if anyone works on the kind of suckers their crew worked on, at the speed they were working on them, and the tools they had to work with, they would have the same difficulties - in hearing, and the wrist and back problems.

Mr. Flasher said the crew was not asking to get out of the sucker bashing program, but simply a change in schedule, and that the Four-One-Five Society will have the same kind of problems and the same kind of concerns.

Mr. Nicoles stated that field investigation shows that those stumps which were properly treated last year by the crew, do not show a regrowth of sprouts. President Leavitt stated that this is a task that has to be done, that there have been numerous complaints about the District's own people doing the job, which are warranted, and that it is time for the District to try some other procedure.

Director Jefferds suggested that an evaluation of the program be given to the Board at the close of the contract, so that it is not extended in small increments without coming back to the Board. Mr. Nelson suggested that the evaluation be made after a six months period and asked Mr. Belknap to submit a report on the program. Director Jefferds recommended that the evaluation also direct itself to some of the questions asked by Mr. Flasher, as well as to the Four-One-Five program.

Mr. Belknap said the Four-One-Five Society had nothing to say on the technical aspects of 2-4-D, that they will accept the District's decision on its use. On the other issue, he said, they were good friends with the union and managers and just want to be a third force working in the parks to do the things that Mr. Nelson has suggested. The Four-One-Five Society, Mr. Belknap said, has different goals and objectives, representing the very poor, the ex-convict, the person off welfare, the person choosing to do this work instead of going to jail or paying a fine. For them, he said, it is a kind of survivor program, that they would like to use the parks as a laboratory to develop work habits, improve their health, their work skills, and wanting to see the park staff maintained, because they get technical information and supportive services from them necessary to accomplish their social objectives. Mr. Belknap said he hoped the issues could be quickly resolved and will push very hard for their right to use the Park District for their purposes.

Director Kessel asked what type of work skills would be developed. Mr. Belknap said they have to start from scratch like getting to work on time, checking tools out and in, how to use the tools and equipment, safety precautions, and to learn all the basic work skills. Later, he said, they will get into truck driving, equipment repair, use of the chain saw, recognition of plant species. They have a lot to learn, he said.

Director Kessel suggested that the union request for a two weeks delay be granted. However, Mr. Nelson said the critical fire season is close, that use of the chemical 2-4-D has been researched, that there is no alternative, and that the same issues would be there two weeks from now.

Mr. Belknap also stated that they have existing contracts to get firewood and that they already knock down the suckers, and that while they are doing this they could be treating the stumps with the chemical. Mr. Belknap said because they have good positive relations with the union and have stated verbally and in writing that they do not see their program as ever being used to diminish, fire or lay off existing employees, and that they consider themselves a supplementary work force doing those kinds of things in the Park District that do not get done because of other factors, from their point of view the eucalyptus problem is a great thing, because it gives them a problem to sink their teeth into, but never want to be thought of as a substitute for the regular staff.

Director Jardin said he was satisfied that this was a good program and moved for approval of the agreement with the Four-One-Five Society. Director Cogswell seconded the motion, which passed by a vote of 6 to 1. Director Kessel cast a "no" vote, urging the Board to grant the extra time to the union to avoid a possible adverse

backfire on the Society. Director Jefferds said that the concerns would be addressed in the six months report. Director Jardin also stated that he would welcome the report, that staff has submitted enough information to the Board that the District should enter into the agreement. President Leavitt said the real issue was job displacement, which is another matter the Board should speak to, which does not relate to the agreement with the Four-One-Five Society. The President then asked for a vote on the question. Accordingly, Resolution No. 1977-5-145 was adopted by a vote of 6 to 1 as noted. A copy of said resolution is attached to these Minutes for reference.

- d. Approval for the Lafayette/Moraga Trail Citizens Advisory Committee to work with Staff in developing Trail Connection between Briones and the north end of the Lafayette, Moraga Trail (Phase 4).

Although this item was approved under the Consent Calendar motion and Resolution No. 1977-5-146 adopted, Director Jefferds asked if there were citizens committees working on trails in other areas, which would have been very helpful in resolving some of the issues on the Las Trampas-Mt. Diablo Trail. Assistant General Manager Kent said the Lafayette/Moraga Citizens Advisory Committee arose from the joint agency agreement between the two local agencies and the District. Director Jefferds suggested that a similar committee be established in some of the other sensitive areas. President Leavitt suggested that if there is potential for a citizens committee on other trails staff should look into that.

A copy of Resolution No. 1977-5-146 is attached to these Minutes for reference.

- e. Appointment of Ken Briney to fill the Vacancy on the Lafayette/Moraga Trail Citizens Advisory Committee.

Resolution No. 1977-5-147 was adopted approving the appointment of Ken Briney to the Citizens Advisory Committee by the Consent Calendar motion. A copy of said resolution is attached to these Minutes for reference.

2. LAND ACQUISITION

- a. Acquisition of Centex Property (Garin Regional Park):

- (1) Acceptance of Acquisition Evaluation Report.
- (2) Authorization to purchase Centex Property (30 acres) and allocation of funds therefor.

Director Jefferds moved for adoption of the two resolutions related to the Centex property. Director Cogswell seconded the motion. Accordingly, Resolution Nos. 1977-5-148 and 1977-5-149 were adopted by unanimous vote approving the Acquisition Evaluation Report and authorization to purchase respectively. Copies of said resolutions are attached to these Minutes for reference.

In the discussion which took place on this subject, Director Badger asked how many acres were wooded. Director Cogswell estimated this to be 60%, which was confirmed by Chief of Acquisition Hulet Hornbeck. Mr. Hornbeck also advised that another 76 acres will be dedicated for park purposes to the City of Hayward and can be transferred to other public agencies for the same purposes.

Mr. Hornbeck said this was of concern to the District because of the need to protect the entire creek area. Mr. Hornbeck said staff would like authorization to discuss with HARD its plans for use of the 76 acres.

Director Cogswell, referring to a letter from City of Hayward Mayor Ilene Weinreb dated May 11, 1977, said it was important to understand why HARD was interested in this acreage, that it has been indicated for years as their hiking, riding trail route to their existing trail further north to Garin Park. Director Cogswell said he did not know if they had any other interest in the area.

Director Jefferds said she would be happy to make a motion, if necessary, to authorize staff to follow up on this. However, it was felt that the General Manager could pursue this further without the need for formal Board action.

b. Report on Trail Access to Mission Peak Regional Preserve from Ohlone Community College District Property.

Chief of Acquisition Hornbeck reported on the preparations for control and trail access to the Mission Peak Regional Preserve and the discussions taking place with the City of Fremont and the Ohlone Community College District for a regional staging area at the southern edge of the school property. From the staging area a hiking and riding trail will lead to the lower slopes of Mission Peak and meandering to the top of the peak itself. Mr. Hornbeck also reported on discussions taking place to provide trail access from a subdivision development in the City of Fremont and compatible use for a staging area under PG&E powerlines.

Director Cogswell asked if automobile access to the Ohlone staging area would be by an established entry point. Mr. Hornbeck said that a branch will be developed off the entry road to provide the access to the staging area.

c. Report on and approval of modifications to Master Agreement - Martinez Regional Shoreline.

In opening the discussion President Leavitt commented that Counsel Black had reviewed the modifications to the Master Agreement. Counsel Black confirmed that the changes were nonsubstantive. Assistant General Manager Kent also by way of introductory comments stated that this was both a progress report and review of the current status of the Martinez Shoreline project.

District Architect Donald Harms reviewed the critical dates in terms of construction, stating that the bid documents would be ready early in July and advertised for bids the latter part of that month. The time lapse, Mr. Harms said, between the two dates is because the District does not anticipate receiving Army Corps of Engineers, BCDC and Water Quality Control permits before that time. These applications, Mr. Harms said, are in the process of being filed. The award of contract is expected to be made at the August 16 Board meeting, Mr. Harms said, with the construction goal to be on the site in September, so that the major portion of the grading can be done before the winter rains. A January 3, 1978 completion deadline may be pushed back, depending on the weather, Mr. Harms said.

Bill Newton, partner in the firm of Arbegast & Newton, Landscape Architects, retained to do the development plan for the Martinez Shoreline, reviewed the plans, from Phase 1 to the ultimate development in the site center area, with eventual development both to the east and west. The Master Agreement, Mr. Newton said, breaks down the areas

of regional and local responsibility. Mr. Newton described the different areas of development and the proposed drainage plan. Mr. Newton said with the available budget a first phase would be developed which will give the user a variety of different locations and uses and hopefully a trail system with a bridge across Alhambra Creek to connect to the shoreline access to the trail system to the west.

Director Jefferds asked if consultants Gosliner/McLean were working on this project. Mr. Harms stated that they were working closely with Arbogast & Newton in the complicated task of cost estimating the project, which was particularly complex because of the funding. Director Jefferds then moved for approval of the revised Master Agreement and Park Lease for the Martinez Regional Shoreline. Director Costa seconded the motion. Accordingly, Resolution No. 1977-5-150 was adopted by unanimous vote, a copy of which is attached to these Minutes for reference.

3. OPERATIONS

- a. Report on Refuse Collection and approval of three refuse collection contracts: East Bay Sanitary Company, Oakland Scavenger Company, and Livermore-Dublin Disposal Company.

By motion of Director Costa, seconded by Director Jardin, the Board authorized execution of the refuse collection contracts for one year with the three companies. This authorization is covered by Resolution No. 1977-5-155 which was adopted by unanimous vote. A copy of the resolution is attached to these Minutes for reference.

This item had been carried over from a previous meeting to permit staff review of cost figures presented by Union Local 2428 President Bob Flasher which indicated that the garbage collection service could be handled inhouse at substantial savings in subsequent years.

Superintendent of Maintenance Tom Lynch reported that he and Chief of Administration Bob Owen met with the union, reviewed the figures, and concluded that the District is still saving money by using outside refuse collection services. Mr. Lynch said there has been no rebuttal to the material given to the union.

Mr. Flasher conceded that the garbage collection can be done cheaper by the outside contractors, based on figures from the contractors that the garbage pickup can be done, as the union pointed out, in four days, even during the busy season. Mr. Flasher said it was very hard to get accurate figures from the contractors who are profiting from their relationship with the District on the number of runs to the dump, the amount paid at the dump, and how many gondolas a 16-yard compacting dump truck can hold. Possible truck breakdown was an inhouse problem, Mr. Flasher said.

Mr. Flasher also noted that some dumps do a good job of recycling and that the union is not sure where the garbage is going from these companies, whether it is being recycled or is filling in the Bay and the marshes. Mr. Flasher said the union would like to keep a closer eye on this in the future and have it written into the contract that it is being disposed of in an ecologically sound way. Mr. Flasher said the contractors also pick up gondolas regularly, although they are not full, because they get paid by the gondola, which would not happen inhouse as they would not be picked up until they are full.

Although half of the gondolas could be locked during the winter season to save the District money, closer supervision will be needed by the park supervisors to make sure all the full ones are picked up, Mr. Flasher said, at a little more cost to the District.

Hopefully, he said, this will balance out by savings in unneeded pickups.

Most importantly, Mr. Flasher said, the union learned there is nothing magical about outside contracts, as the savings in the present situation result from cutting back services by one half during the winter, something that would be difficult to do with inhouse garbage collection because you only have two people and one garbage truck which couldn't be cut back further.

Mr. Flasher called attention to possible future uses for garbage, such as electrical energy. In a concluding statement Mr. Flasher said they learned a lot by having a month to investigate the contracts in depth. In the interest of learning to resolve their differences through cooperation and closer observation, as well as in the interest of economical services to the taxpayers, Mr. Flasher said he would encourage the Board to closely and thoroughly review all future contracts and to make the detailed economic evaluations available to the union and the public. Although disappointed with the outcome, Mr. Flasher said it was a good learning experience.

President Leavitt also stated that he was very impressed with the amount of time the union put into this, and thanked Mr. Flasher for his interest and concern.

4. Report of Legislative Committee

Although this item was discussed later in the meeting, it is reported in these Minutes in the sequence of the agenda. Referring to his memo on the subject to the Board, Legislative Committee Chairman Kessel recommended support of a number of bills listed on the second page of his report, with the exception of SB 650-651 (Nejedly), SB 253 (Rains) and SB 861 (Dunlap) all of which, he said, needed further study. Director Kessel moved for adoption of the resolution of support for the following bills:

SB 453 (Foran) Public Beach Fund \$3 million per year from Tidelands revenues, with an amendment to include EBRPD.

AB 1109 (Mangers) Provides \$3 million annually from Tidelands funds for public beach operation, with an amendment to include EBRPD.

SB 239 (Robbins) Extends report time for Controllers report to State Controller.

AB 1543 (Keene) Provides \$10 million for state and local trails and hostels.

AB 95 (Rosenthal) \$1.50 access to any state park for senior citizens. Provides any person 62 or older with a "Golden Bear Pass" for senior citizens which entitles bearer to free use of day use facilities.

SB 975 (Dunlap) Creates a "California Land Trust" with power to acquire and hold open space lands.

SB 1029 (Dunlap) Allows for acquisition of open space easements by non-profit organizations with government approval.

SB 522 (Dunlap) Is similar to the bill EBRPD backed a number of years ago relating to the protection of mountain lions.

Director Jefferds, also a member of the Legislative Committee along with Director Badger, seconded Mr. Kessel's motion. Accordingly, Resolution No. 1977-5-156 was adopted by unanimous vote, a copy of which is attached to these Minutes for reference.

On AB 1283 (Gage) proposing reallocation of Land and Water Conservation funds so one-third goes to regional agency projects, Director Kessel suggested a letter of support be sent. However, General Manager Trudeau advised that this had already been done, as the Legislative Committee backed the bill last December. It was also noted that the author of the bill has been requested to accept an amendment to make this an urgency bill to apply this year.

Referring to a letter from District Counsel Black, Director Kessel noted that the matter of appointment of Directors is being reviewed by the legislative counsel of the Legislature (not the Attorney General) for clarification of the legislative intent. Another outcome of the committee meeting, Director Kessel said, was that the District will host a dinner or lunch meeting with district legislators. Plans for a fall visit are also being considered, Mr. Kessel said.

Director Kessel advised that he and Director Jefferds will be attending the two-day conference in Sacramento by the California Park and Recreation Society, May 19 and 20, along with four staff members.

Director Jefferds called attention to a letter from Bill Press, Director of the Governor's Office of Planning and Research, dated May 11, 1977, to Assemblyman Knox supporting AB 854 to increase the compensation for Directors. Director Jefferds suggested that copies of the letter be sent to the legislators. Mr. Trudeau advised that the legislators that represent the District already have copies and that this bill will be heard before the Senate Natural Resources Committee, chaired by Senator Nejedly, on May 24. Director Jefferds suggested that perhaps Mr. Press might be willing to testify at that hearing.

Director Jardin also brought up the matter of payment of candidate's statements in the sample ballot and asked if this is being considered by the legislature, and whether such payment can be enforced. Mr. Trudeau advised that the issue is still a matter of court litigation and therefore was not taken up at this time with our representatives.

5. WORK SESSION on 1977/78 Fiscal Budget

The Work Session on the 1977/78 Fiscal Budget was held in the Board Room on the 5th floor of BART Headquarters, inasmuch as the Public Board Room on the Mezzanine was needed for another meeting. However, before going into the Work Session, the Directors covered the balance of the agenda, including the addenda items, which are reported here in the sequence of the agenda. The Public Hearing on the Budget has been set for 7:00 p.m. at the BART Headquarters, May 31, and hopefully will be adopted at that time.

6. FINANCE

a. Approval of Demands

On motion of Director Kessel, seconded by Director Jefferds, the Demands for the period ending May 17, 1977, were approved by unanimous vote. The Demands totaled \$908,555.55. Resolution No. 1977-5-151 covers the Board action. A copy of the resolution is attached to these Minutes for reference.

E. ADDENDA TO AGENDA

1. Acquisition of Cummins Property (Garin Regional Park)
 - (a) Acceptance of Acquisition Evaluation Report.
 - (b) Authorization to Purchase Cummins Property (5.19 acres) and allocation of funds therefor.

Based on the information submitted in the Board packet, Director Cogswell moved for approval of the Acquisition Evaluation Report on the Cummins property, as well as authorizing its purchase. Director Jefferds seconded the motion. Accordingly, Resolution Nos. 1977-5-152 and 1977-5-153 respectively were adopted by unanimous vote, copies of which are attached to these Minutes for reference.

The purchase price for the Cummins property (5.19 acres) was \$85,000, with relocation benefits of \$5,000. The total allocation for funding was \$93,000 to include title, legal and other expenses necessary to complete the acquisition.

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2. Award of contract for Engineering Consultation for Improvements to Garin Avenue, Hayward.

President Leavitt said this action was in accordance with a previous agreement with the City of Hayward and the County of Alameda for the District to widen Garin Avenue. Director Cogswell moved for approval of a contract with MacKay & Sumps, licensed civil engineers, Union City, for the design and engineering services for the widening of Garin Avenue at a fee not to exceed \$9,900. Director Jefferds seconded the motion. Accordingly, Resolution No. 1977-5-154 was adopted by unanimous vote. A copy of the resolution is attached to these Minutes for reference.

In the discussion which took place on this item, President Leavitt asked what distance would be widened. Mr. Harms responded that it was slightly less than a mile. The President noted the fact that the widening will cost the District about \$100,000, exclusive of any property acquisition costs.

Director Badger asked if there were homes along the road, that the Board was concerned about creating another Kennedy Grove. Mr. Harms explained that approximately one and one half acres of right of way will be needed and that the preliminary plan is to have the widening occur on the north side at the upper end of the property to avoid disturbing front yards and driveways, and on the south side on the lower end of the property where only one or two property owners will be affected. Mr. Harms said everyone agrees that the ultimate solution to proper access will come with the construction of the Alquire Parkway and with that in mind staff can recommend proceeding with the present widening.

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3. Presentation by Manfred Lindner re: Fire Road Grading at Morgan Territory.

This item has been carried over to the June 7 Board meeting which will give Mr. Lindner more time in which to make his report and slide presentation, due to the fact that the Board Room had to be vacated by 4:30 p.m.

F. COMMUNICATIONS

General Manager Trudeau acknowledged a volume of letters on trails and advised that staff is undergoing a training program for staff in regard to the planning ahead of time for a public hearing and the conduct of the public hearing. Mr. Trudeau said the Golden Gate National Recreation Area has had a professional working with them and since the District is getting into the arena of heavy controversy, this is being considered by the District as well. Mr. Trudeau said a massive mailing and response will be sent to those who wrote in on the District's trails program.

Mr. Trudeau advised that the letter from the Valley Community Services District for the District to apply for a Land and Water Conservation Grant for development of a trail project in the valley has been referred to staff for review. At present, Mr. Trudeau said, there appear to be many higher priorities on L&WC funds, but the matter will be explored with Valley Community Services District.

G. COMMENTS: GENERAL MANAGER, BOARD, PUBLIC

General Manager Trudeau reminded the Directors of the dedication ceremonies at Contra Loma Regional Park set for 10 a.m., Saturday, May 21, at the Swim Complex. Mr. Trudeau said invitations have been sent to a number of area representatives and that both Senator Nejedly and Supervisor Hasseltine have already indicated they would attend. After lunch, Mr. Trudeau said, a tour of the Black Diamond Mines is scheduled. Most of the Directors stated that would attend and would participate in the Mines tour, as well.

Mr. Trudeau credited the Chief of Planning and Design Lewis Crutcher for working with the County Planning in regard to radio towers. Mr. Crutcher reported that he has participated in two lengthy work sessions with the Contra Costa County staff and is pleased with the guidelines now being proposed by the County Planning staff, as representing the interests of all concerned. An outside review Board is still a matter of controversy, Mr. Crutcher said. Mr. Crutcher also reminded the Board that two previous resolutions on this subject had been adopted, one in 1966 and the other in 1974, and urged Board support of the amended policies and guidelines. Director Jefferds moved for adoption of a resolution of support. Director Badger seconded the motion. Accordingly, Resolution No. 1977-5-157 was adopted by unanimous vote. A copy of the resolution is attached to these Minutes for reference and supports the proposed amendment to the 1968 Contra Costa County Planning Commission Policy Statement on Communication Facilities.

Mr. Trudeau said that EBMUD has delayed its hearing on a water plan for the hill area until August 23. It is rather important for the District to know what the Water District may ultimately do in supplying water to the hills area, Mr. Trudeau said.

Mr. Trudeau introduced Karen Weber, who will be the District Personnel Manager, replacing Mr. Bigelow. Ms. Weber will take over her duties in about one month, Mr. Trudeau said. Ms. Weber leaves the City of Oakland Park Department as the top Administrative Analyst, Mr. Trudeau said, and comes very highly recommended.

Director Kessel reported attending the public hearing on Redwood Regional Park and stated he was impressed with the first rate presentation on the history of that park. Director Kessel also reported that he will be meeting shortly with Director Jardin on the Pension Appraisals by McGinn & Associates of Los Angeles, a copy of which was sent to each of the Directors. Director Kessel said he was also concerned about the language used in a release from the Chabot Gun Club.

Director Kessel announced his resignation from the advisory committee of the Bay Area Air Pollution Control District, feeling that his participation on the committee is serving no useful purpose. Director Kessel suggested that a letter of concern be directed to the Metropolitan Transportation Commission regarding funding of the Caltrans Bay Bridge Bicycle Trail project. General Manager Trudeau said that staff would not drop this and will continue to support the project.

Director Jefferds asked if the rental of District residences would be the subject of further Board discussion. President Leavitt suggested that this be reviewed by the Finance Committee and could be taken up in the Budget Work Session. Director Jefferds also suggested that a staff member attend the California Association of Recreation and Park Districts meeting on Saturday, May 21 dealing with insurance. Controller Ralph Meilandt volunteered to attend the meeting, since he will be in Sacramento on that date.

Director Costa suggested that a Board committee be formed on trails, particularly in regard to the hearings scheduled on this very critical subject. It was also suggested that some arrangements be made for a field trip concerning proposed trails, since the Board has some tough decisions to make on them. President Leavitt said this was hopefully the direction the committee will take and do some in-depth analysis of the trails, come up with some priorities that will allow staff to more effectively function in the public arena, and at the same time to allow the Board to have an overview of what the whole trail program is going to be. Mr. Leavitt said he would make the committee appointments shortly.

General Manager Trudeau announced that District Counsel Donn Black has been made a partner in the District's legal firm and that Mr. Orr has retired from the firm. The new name of the firm is Wendel, Lawlor, Rosen & Black and commencing in June will be headquarters on the 20th floor of the Clorox Building at the Oakland City Center.

H. ADJOURNMENT

As there was no further business to come before the Board, the meeting adjourned following the Work Session on the Budget, at 7:00 p.m.

Respectfully submitted,

Harold R. Luhtala, Secretary

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-142

May 17, 1977

APPROVAL OF AGREEMENT WITH CASTRO VALLEY SANITARY DISTRICT FOR SEWER
SERVICE AT PUBLIC SAFETY HEADQUARTERS, ANTHONY CHABOT REGIONAL PARK

WHEREAS, the District, pursuant to the authority of Board Resolution No. 1976-1-6 adopted January 6, 1976, entered into an agreement with the South County Community College District for the development and use of the Nike Site at Anthony Chabot Regional Park which is now known as the "Public Safety Headquarters"; and

WHEREAS, said Agreement provides that a sewer connection shall be made for the buildings renovated at that site; and

WHEREAS, the sum of \$3,250 has been provided for this project in the FY 1977/78 budget (Account No. 29-20-309); and

WHEREAS, this project has been covered in an Environmental Impact Report prepared by Alameda County as lead agency; and

WHEREAS, an agreement with the Castro Valley Sanitary District for sewer service has been prepared by staff and reviewed by District Counsel, and presented for Board review this date;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to execute and deliver on behalf of the District an agreement with the Castro Valley Sanitary District for sanitary sewer services at the Public Safety Headquarters, Anthony Chabot Regional Park, in the form presented to the Board this date; and

BE IT FURTHER RESOLVED that this project is assigned Project Account No. 34-03.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 17th day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-143

May 17, 1977

APPROVAL OF AMENDMENT TO AGREEMENT WITH CASTRO VALLEY SANITARY DISTRICT
FOR SEWER SERVICE AT CHABOT MARINA AND CHABOT CAMPING AREA
ANTHONY CHABOT REGIONAL PARK

WHEREAS, on May 31, 1971, the District entered into an Agreement with the Castro Valley Sanitary District which provides for sanitary sewer services to the Chabot Marina and the Chabot Camping Area at Anthony Chabot Regional Park; and

WHEREAS, staff has recommended that the Agreement be amended to convert the method for computing the District's cost for sewer services from an annual estimated rate to a monthly metered rate; and

WHEREAS, the sum of \$5,000 has been provided for in the FY 1977/78 Budget (Account No. 9-25-323) for this project; and

WHEREAS, an amendment to the Agreement has been prepared by staff and reviewed by District Counsel and is presented for Board review this date;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to execute and deliver on behalf of the District an Amendment to the Agreement with the Castro Valley Sanitary District for Sanitary Sewer Services to the Chabot Marina and the Chabot Camping Area at Anthony Chabot Regional Park, in the form presented to the Board this date; and

BE IT FURTHER RESOLVED that this project is assigned Project Account No. 18-02.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 17th day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-144

May 17, 1977

AWARD OF CONTRACT AFTER BIDDING - TWO FOUR-WHEEL DRIVE TRUCK CAB-CHASSIS

WHEREAS, bidding for two four-wheel drive truck cab-chassis was duly authorized by this Board on October 6, 1970 by blanket resolution No. 3577A; and

WHEREAS, the call for bids was published in the Oakland Tribune on May 7, 1977, and in the Hayward Daily Review on May 5, 1977; and

WHEREAS, two timely bids were received and opened in public on May 16, 1977, at 10:00 a.m., as set forth in the following summary of bids:

<u>Bidder</u>	<u>Base Bid</u>
Hopper-Hammond, Inc., Berkeley	\$17,050.00
G.M.C.Truck and Coach, Oakland	No Bid

WHEREAS, the staff estimate was \$18,000.00 for the cost of this equipment and this sum is provided in the FY 1977/78 Budget (Account No. 5-08-578) for this purchase; and

WHEREAS, the lowest responsible bid was in the sum of \$17,050.00 by Hopper-Hammond, Inc. of Berkeley;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bid by District Counsel, the President, Secretary and General Manager are each hereby directed to take all appropriate actions to award a contract to such low bidder in accordance with this resolution and the call for bids in the amount of the low bid; and

BE IT FURTHER RESOLVED that the sum of \$18,158.25 is hereby appropriated for the above purchase from Account No. 5-08-578 to pay the purchase price and tax.

Moved by Director Walter H. Costa, seconded by Director Mary Lee Jefferds, and adopted this 17th day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-145

May 17, 1977

APPROVAL OF AGREEMENT WITH FOUR-ONE-FIVE SOCIETY, INC.
FOR TREATMENT OF EUCALYPTUS STUMPS

WHEREAS, eucalyptus removal in 1973 and 1974 left a large amount of debris in the District's eucalyptus forests and gave rise to large numbers of stump sprouts; and

WHEREAS, Staff has negotiated an agreement with the Four-One-Five Society for cutting of sprouts and removal or stacking of debris for the sum of five hundred dollars (\$500) per month, said agreement to be terminable by either party upon 30 days' written notice; and

WHEREAS, no funds have been budgeted or appropriated for this project; and

WHEREAS, bidding is not required for this project because there is no other or comparable source for these services; and

WHEREAS, under the District's Environmental Review Manual and a recent statutory exemption of economic poisons from the requirements of CEQA until January 1, 1978, this project is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to execute and deliver on behalf of the District an Agreement with Four-One-Five Society, Inc., for Treatment of Eucalyptus Stumps, subject to the approval of such contract as to form by District Counsel, and the General Manager is directed to take all appropriate action to carry said agreement into effect;

BE IT FURTHER RESOLVED that the sum of \$5,500, which includes \$5,000 for payment of contract obligations and \$500 for associated material or equipment costs, be appropriated from Account No. 9-25-323 to Project Account No. 5-14 to cover the costs of this project.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 17th day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Director Harlan R. Kessel.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-146

May 17, 1977

APPROVAL FOR LAFAYETTE/MORAGA TRAIL CITIZENS ADVISORY COMMITTEE TO WORK
WITH STAFF ON TRAIL CONNECTION BETWEEN BRIONES REGIONAL PARK AND LAFAYETTE/
MORAGA TRAIL

WHEREAS, the Lafayette/Moraga Trail Citizens Advisory Committee, which is currently developing a program on the Lafayette/Moraga Trail and a connection between the Lafayette/Moraga Trail and Las Trampas Regional Wilderness, is one of the District's most effective citizens advisory groups; and

WHEREAS, Staff has requested authorization to assign to said Advisory Committee the connection of said Trail with Briones Regional Park;

NOW, THEREFORE, BE IT RESOLVED that Lafayette/Moraga Trail Citizens Advisory Committee is hereby authorized to work with staff in developing a trail connection between Briones Regional Park and the north end of the Lafayette/Moraga Trail.

Moved by Director Walter H. Costa, seconded by Director Mary Lee Jefferds, and adopted this 17th day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-147

May 17, 1977

APPOINTMENT OF KEN BRINEY TO FILL VACANCY ON LAFAYETTE/MORAGA TRAIL
CITIZENS ADVISORY COMMITTEE

WHEREAS, Pres Perdue, one of the District's appointments to the Lafayette/Moraga Trail Citizens Advisory Committee, who has represented the interests of horsemen, has resigned from said Committee; and

WHEREAS, Ken Briney is an active horseman, bicyclist and hiker, and has been a long-standing member and spokesman for the Moraga Horsemen's Association, thus making him well qualified to fill the vacancy created by this resignation;

NOW, THEREFORE, BE IT RESOLVED that Ken Briney is hereby appointed to fill the current vacancy on the Lafayette/Moraga Trail Citizens Advisory Committee.

Moved by Director Walter H. Costa, seconded by Director Mary Lee Jefferds, and adopted this 17th day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-148

May 17, 1977

ACCEPTANCE OF ACQUISITION EVALUATION REPORT ON 30 ACRES, CENTEX HOMES OF
CALIFORNIA PROPERTY, FOR ADDITION TO GARIN REGIONAL PARK

WHEREAS, the East Bay Regional Park District is considering acquisition by purchase of 30 acres, more or less, of Centex Homes of California property for addition to Garin Regional Park; and

WHEREAS, Staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation Report covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation Report presented to and considered by the Board this date, covering 30 acres, more or less, of Centex Homes of California property for addition to Garin Regional Park, is hereby accepted for filing, and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 17th day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

X

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-149

May 17, 1977

AUTHORIZING PURCHASE OF 30 ACRES, CENTEX HOMES OF CALIFORNIA PROPERTY AT
GARIN REGIONAL PARK

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed, all in accordance with the District's Master Plan; and

WHEREAS, by Resolution No. 1977-5-148, adopted May 17, 1977, this Board accepted an Acquisition Evaluation Report on the 30 acres, more or less, of Centex Homes of California property for addition to Garin Regional Park; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that this Board authorizes and directs the President and Secretary to exercise its option to purchase under that certain Option to Purchase Real Property between the District and Centex Homes of California, dated May 9, 1977, and the President and Secretary are authorized to accept a Grant Deed to the property described as a portion of Assessor Parcel 83-1-1-2 and more particularly described in Title Insurance and Trust Company's preliminary title report OK-265609, dated April 13, 1977, the President, Secretary, and General Manager are hereby authorized to do such acts as are required to complete the acquisition of said property, and the General Manager is directed to record the deed in the Official Records of Alameda County; and

BE IT FURTHER RESOLVED that the sum of \$78,000.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-60, to pay the purchase price of \$75,000.00 and title and escrow fees, appraisals, legal fees, and other expenses necessary to complete the acquisition.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 17th day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-150

May 17, 1977

AUTHORIZATION OF REVISED MARTINEZ REGIONAL SHORELINE MASTER AGREEMENT
AND PARK LEASE

WHEREAS, pursuant to Resolution No. 1976-10-292 adopted October 5, 1976, the District entered into a Master Agreement and a Lease for the Martinez Regional Shoreline providing for the establishment, Phase 1 development and operation of the District and City portions of the Shoreline; and

WHEREAS, various nonsubstantive changes and corrections in the text of the Master Agreement and of the Lease have been recommended, along with certain alterations in the "Phase 2: Land Use Plan revised and approved April 20, 1976," and incorporated by reference into the Master Agreement as requested by the State Lands Commission and Martinez Marina City/State Committee, by the Martinez Waterfront Joint Planning Agency (all as reviewed by the Board this date); and

WHEREAS, such revised Master Agreement, Lease, and Land Use Plan have been approved by the Martinez Marina City/State Committee as required pursuant to existing agreements between the City of Martinez and the State of California;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The President and Secretary are hereby authorized to execute and deliver on behalf of the East Bay Regional Park District, the form of "Master Agreement, Martinez Regional Shoreline" (incorporating "Martinez Waterfront Phase 2: Land Use Plan revised and approved April 20, 1976") and "Revised Park Lease," both dated as of October 1, 1976, containing the text and plan revisions reviewed this date, all in the form and content presented to the Board this date;
2. This Board finds that neither any nor all of such textual and map changes impair the validity or completeness of the final Environmental Impact Report certified as complete by this Board pursuant to Resolution No. 1976-10-282 or result in any adverse environmental impact.

Moved by Director Mary Lee Jefferds, seconded by Director Walter H. Costa, and adopted this 17th day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-151

May 17, 1977

APPROVAL OF DEMANDS - May 17, 1977

BE IT RESOLVED that the items set forth and as presented in the Demand Register for the period ending May 17, 1977, totaling \$908,555.55, are hereby approved and authorized for payment.

Moved by Director Harlan R. Kessel, seconded by Director Mary Lee Jefferds, and adopted this 17th day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-152

May 17, 1977

ACCEPTANCE OF ACQUISITION EVALUATION REPORT ON 5.19 ACRES JAMES R. CUMMINS
AND ELEANOR M. CUMMINS PROPERTY FOR ADDITION TO GARIN REGIONAL PARK

WHEREAS, the East Bay Regional Park District is considering acquisition by purchase of 5.19 acres, more or less, of James R. Cummins and Eleanor M. Cummins property for addition to Garin Regional Park; and

WHEREAS, Staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation Report covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation Report presented to and considered by the Board this date, covering 5.19 acres, more or less, of James R. Cummings and Eleanor M. Cummins property for addition to Garin Regional Park, is hereby accepted for filing, and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan.

Moved by Director Howard L. Cogswell, seconded by Director Mary Lee Jefferds, and adopted this 17th day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-153

May 17, 1977

AUTHORIZATION TO PURCHASE JAMES R. CUMMINS AND ELEANOR M. CUMMINS PROPERTY
AT GARIN REGIONAL PARK

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed, all in accordance with the District's Master Plan; and

WHEREAS, by Resolution No. 1977-5-152, adopted May 17, 1977, this Board accepted an Acquisition Evaluation Report on the 5.19 acres, more or less, of James R. Cummins and Eleanor M. Cummins property at Garin Regional Park; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that this Board authorizes and directs the President and Secretary to exercise its option to purchase under that certain Option to Purchase Real Property between the District and James R. Cummins and Eleanor M. Cummins, dated May 9, 1977, and the President and Secretary are authorized to accept a Grant Deed to the property described as Assessor Parcel 83-200-1 and more particularly described in Title Insurance and Trust Company's preliminary title report OK-247173, dated October 24, 1975, the President, Secretary, and General Manager are hereby authorized to do such acts as are required to complete the acquisition of said property, and the General Manager is directed to record the Deed in the Official Records of Alameda County; and

BE IT FURTHER RESOLVED that the sum of \$93,000.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-61 to pay the purchase price of \$85,000.00, relocation benefits of \$5,000.00, and title and escrow fees, appraisals, legal fees, and other expenses necessary to complete the acquisition.

Moved by Director Howard L. Cogswell, seconded by Director Mary Lee Jefferds, and adopted this 17th day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-154

May 17, 1977

APPROVAL OF CONTRACT WITH MACKAY & SOMPS FOR DESIGN AND ENGINEERING SERVICES
FOR IMPROVEMENTS TO GARIN AVENUE AT GARIN REGIONAL PARK

WHEREAS, Staff has demonstrated the need for design and engineering services in connection with improvements to Garin Avenue at Garin Regional Park; and

WHEREAS, MacKay & Soms, licensed as Civil Engineers, have submitted a proposal for design and engineering services on said project; and

WHEREAS, funds will be budgeted for this project in the 1977/78 budget;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to approve a contract with MacKay & Soms for design and engineering services in connection with improvements to Garin Avenue at Garin Regional Park, subject to approval as to form by District Counsel, for a fixed sum not to exceed \$9,900.00.

BE IT FURTHER RESOLVED that all payments required and authorized to said firm under said contract shall be from Project Account No. 34-95.

Moved by Director Howard L. Cogswell, seconded by Director Mary Lee Jefferds, and adopted this 17th day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-155

May 17, 1977

AUTHORIZATION TO EXECUTE CONTRACTS FOR REFUSE COLLECTION SERVICES

WHEREAS, the District has had yearly agreements with three local firms having exclusive franchises for refuse collection services in areas served by the District, i.e., with East Bay ~~Sanitary~~ Company of El Cerrito, Oakland Scavenger Company of Oakland, and Livermore-Dublin Disposal Company of Livermore; and

WHEREAS, Staff has recommended that the contracts with said scavenger companies be renewed for FY 1977/78; and

WHEREAS, the sum of \$49,000 is provided for in the FY 1977/78 Budget Account Nos. 5-10 and 5-32) for these services;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized and directed to execute and deliver on behalf of the District one-year contracts for FY 1977/78 for refuse collection services with the East Bay Sanitary Company, the Oakland Scavenger Company, and the Livermore-Dublin Disposal Company on the terms and conditions presented to the Board this date, subject to approval as to form by District Counsel, and which provide for the following rates:

Summer - 2 yard gondolas - 2 pickups per week:
\$73.50 per container per month

Winter - 1 pickup per week:
\$52.50 per container per month.

Moved by Director Walter H. Costa, seconded by Director William F. Jardin, and adopted this 17th day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT
RESOLUTION No. 1977-5-156
May 17, 1977

RESOLUTION SUPPORTING PRINCIPLES EMBODIED IN LEGISLATIVE MEASURES BEFORE THE
STATE LEGISLATURE - 1977 SESSION

WHEREAS, Senator Foran has introduced legislation referred to as SB 453; Assemblymen Mangers, Imbrecht, and Cordova have introduced legislation referred to as AB 1109; Senator Robbins has introduced legislation referred to as SB 239; Assemblyman Keene has introduced legislation referred to as AB 1543; Assemblyman Rosenthal has introduced legislation referred to as AB 95; and Senator Dunlap has introduced legislation referred to as SB 975, and SB 1029, and SB 522; and

WHEREAS, this Board has reviewed the objectives and provisions of each of the proposed legislative measures;

NOW, THEREFORE, BE IT RESOLVED that this Board finds that adoption of these measures would be in the best interests of the citizens of the East Bay Regional Park District and would serve to promote the objectives and purposes for which the District was formed, and accordingly, the East Bay Regional Park District Board of Directors supports such legislation and urges legislative enactment of the following:

SB 453 (Foran) Public Beach Fund \$3 million per year from Tidelands revenues, with an amendment to include EBRPD.

AB 1109 (Mangers) Provides \$3 million annually from Tidelands funds for public beach operation, with an amendment to include EBRPD.

SB 239 (Robbins) Extends report time for Controllers report to State Controller.

AB 1543 (Keene) Provides \$10 million for state and local trails and hostels.

AB 95 (Rosenthal) \$1.50 access to any state park for senior citizens. Provides any person 62 or older with a "Golden Bear Pass" for senior citizens which entitles bearer to free use of day use facilities.

SB 975 (Dunlap) Creates a "California Land Trust" with power to acquire and hold open space lands.

SB 1029 (Dunlap) Allows for acquisition of open space easements by non-profit organizations with government approval.

SB 522 (Dunlap) Is similar to the bill EBRPD backed a number of years ago relating to the protection of mountain lions.

BE IT FURTHER RESOLVED that the General Manager is hereby directed to communicate a true copy of this resolution to the eight Legislators who introduced the measures and to all of the State Legislators whose districts coincide with the territory of the East Bay Regional Park District and to the Governor.

Moved by Director Harlan R. Kessel, seconded by Director Mary Lee Jefferds, and adopted this 17th day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-5-157

May 17, 1977

SUPPORT OF PROPOSED AMENDMENT TO THE 1968 CONTRA COSTA COUNTY PLANNING
COMMISSION POLICY STATEMENT ON COMMUNICATION FACILITIES

WHEREAS, Contra Costa County's mountain peaks and ridgelines are its most valuable natural feature; and

WHEREAS, uncontrolled proliferation of towers, buildings, utility poles and access roads on the peaks has deteriorated the quality of the Contra Costa skyline, and telecommunication structures have had a significant impact on the Regional Parks; and

WHEREAS, the East Bay Regional Park District Board of Directors unanimously adopted Resolutions regarding communication towers on July 12, 1966 and again on November 6, 1974; and

WHEREAS, the Contra Costa County Planning staff has drafted amended policies and guidelines for design review of all future telecommunication facilities proposed within the unincorporated areas of Contra Costa County;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District supports the Proposed Amendment to the 1968 Contra Costa County Planning Commission Policy Statement on Communication Facilities, a copy of which is attached hereto as Exhibit "A" and incorporated herein by this reference; and

BE IT FURTHER RESOLVED that the East Bay Regional Park District desires to assist Contra Costa County in every way possible to bring about an orderly resolution to the problem posed by the telecommunication structures, including participation by a representative of the District on a Design Review Board.

Moved by Director Mary Lee Jefferds, seconded by Director Paul J. Badger, and adopted this 17th day of May, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

PROPOSED AMENDMENT TO
1968 PLANNING COMMISSION
POLICY STATEMENT ON
COMMUNICATION FACILITIES

BACKGROUND

The Planning Commission recognizes the legitimate and essential need for public and private communication facilities within the unincorporated portion of the County. The Planning Commission is also aware of the need for integrating such facilities with surrounding land uses, existing and proposed. It is the expressed intention of the Planning Commission to curtail the proliferation of communication facilities in the County and to coordinate with other public agencies, on future studies and programs to achieve this goal. The policy recognizes the following:

A. Public Considerations

The public is concerned with the aesthetics, the safety factors, and the environmental damage which may result from construction and operation of such facilities.

Because of the prominent locations on mountain tops and ridge lines, many facilities may be seen from great distances. Facilities near or in parks or residential areas may be viewed at close range by many people. In some cases, the power lines that serve the communication facilities create more concern than the facility itself, as a path may be cut through trees or other foliage or on exposed slopes or ridge lines thus creating a lengthy visual blight. Concern also extends to extensions and use of access roads and to the safety of towers and equipment.

B. Technical Considerations

The most important technical criteria for selecting a communications site is elevation, line of sight between transmitting and receiving area, physical separation from other antennas and clear communication path.

Two-way radio, FM, and television transmission require an unobstructed path between the transmitter and the receiver. In general, the higher the site, the more desirable it is. Hilltops, therefore, are at a premium.

Physical separation is sought to prevent interference, a persistent difficulty in places such as the Bay Area.

Technical advancements provide a variety of ways to achieve physical separation. Maximization of potential use involves the selection of a best choice from among the large number of possible arrangements.

Interference with home radio and television reception is possible but is limited to the area immediately surrounding the transmission tower.

A review by the County Communications Division or other qualified consultant may be necessary in order to adequately address all technical considerations.

SUMMARY

To answer both public and communication industry concerns it is necessary to establish a County policy with adequate goal, definitions, objectives and guidelines, while providing for appropriate technical review, in order that these legitimate concerns may be met and that decisions can be made intelligently and not in an arbitrary and capricious manner.

As this statement is to serve as a guide for reviewing and deciding on applications for communications facilities within the unincorporated areas of Contra Costa County, the following policy is set forth:

GOAL:

To meet the present and future communications needs within Contra Costa County while minimizing the visual and environmental impacts on the landscape.

OBJECTIVES:

To require demonstrable proof that new sites and/or facilities are necessary.

To encourage maximum utilization and efficient use of the limited communication sites.

To employ disguising techniques of design so as to diminish the negative impacts of such uses.

To support developments which maximize energy conservation measures.

To preserve to the greatest extent the existing flora and fauna.

DEFINITIONS

1. Communications Tower - Any structure which is used to transmit or receive electromagnetic communications signals or which supports such a device. Private radio and T.V. receiving antennas for residential use are specifically excluded.
2. Communication Facilities - Shall include communication towers, antennas and the necessary accessory appurtenances.
3. Communications Site - Shall generally mean the defined area subject to review, under any land use permit application request for communication facilities.

REVIEW

As required by Ordinance, any applicant wishing to construct a communication facility must obtain a land use permit from the Contra Costa County Planning Agency and shall be subject to the following reviews prior to a public hearing:

- A. Land use review to determine suitability of the site and compatibility with surrounding uses.
- B. Complete environmental review in accordance with the State of California Environmental Quality Act and State and County Guidelines.
- C. A technical review by the County Communications Officer. If the Communications Officer feels there is need for further review by a Communications consultant, the applicant will be required to pay the fee for the consultant.
- D. By other agencies concerned with various aspects of the application.

GUIDELINES

The guidelines established by this policy are as follows:

1. Height

- a. The heights and mass of communication facilities should be the least necessary for the applicant's activity, commensurate with technical, safety, and visual considerations.
- b. The heights of towers should not exceed a height on which FAA regulations on lighting and painting must come into use, unless there is overriding need and necessity.
- c. Facilities should be located below the skyline wherever possible.

2. Spacing

- a. The maximum number of towers and the spacing between them shall be determined after review by the applicable agencies.
- b. Facilities should be grouped and located at each site to minimize visual impact.

3. Power lines

- a. All power lines to and within communication sites should be undergrounded unless there are overriding reasons not to do so.
- b. Lines should follow the corridor of least damage.

4. Accessory Equipment Shelters

- a. Accessory equipment shelters should be generally limited to the housing of radio, electronic and related power plant equipment.
- b. Such housings should be placed off skyline unless there are overriding reasons not to do so.
- c. Colors and sheen of structures should be selected to blend with the area.

5. Permits

- a. Permits should be issued to the applicant only and should not be transferable.
- b. Permits may be issued for definite period of time to be determined by the Planning Commission.
- c. There should be periodic review of each permit to assure compliance with the conditions of the permit. At the time of review additional conditions may be imposed and/or existing conditions altered.
- d. In accordance with the Ordinance Code, non-compliance with the conditions of the approved permit is cause for revocation proceedings.

Any deviations from the approved permit require the submittal and approval of a new application.

- e. Compliance with the requirements of any and all applicable regulating agencies should be required.

6. Site Area

- a. There should be a complete development review including appearances and locations of all facilities.
- b. The area around all structures, poles, and guy structures should be free of combustible materials. Clearing of the site should only be allowed to the degree necessary to prevent fire hazard.
- c. A landscape and rehabilitation plan should be submitted for review and approval of the Zoning Administrator prior to the issuance of a building permit. In non-urban areas, the landscape plan should include only suitable plants indigenous to the immediate area, and a qualified botanist should be consulted.
- d. The site should be maintained in an orderly manner.
- e. All facilities should be removed upon termination of use, and the site restored by natural or by artificial means as recommended by a qualified botanist.
- f. Rare and endangered plant and wildlife species should be protected.

In addition to the standard land use permit application form and submittals, applicants for communication facilities shall submit the attached supplemental information form.

RWC/DE:gg
5/13/77

June 7, 1977

June 7, 1977

MINUTES
REGULAR MEETING
EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS

2:00 p.m.

Tuesday, June 7, 1977

BART Headquarters
800 Madison Street
Oakland, California

A. ROLL CALL

The regular meeting of the Board of Directors of the East Bay Regional Park District of Tuesday, June 7, 1977, was called to order by Director Paul J. Badger, who served as Chairman in the absence of Board President John J. Leavitt and Vice President Mary Lee Jefferds, who arrived late in the session. The meeting was held in the Board Room of BART Headquarters, Oakland.

Present: Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa (who arrived late in the session), William F. Jardin, Mary Lee Jefferds (who also arrived later), and Harlan R. Kessel.

Absent: Director John J. Leavitt.

Staff: General Manager Richard C. Trudeau, Asst. General Manager Jerry D. Kent, Asst. Controller Perry Carter, Chief of Administration Robert Owen, and Department Heads: Hulet Hornbeck, Chief of Acquisition; Lewis Crutcher, Chief of Planning and Design; Staff members: Bill Gries, Donald Harms, Grace Lewis and Harold Luhtala. District Counsel: Deanna Lyon (Wendel, Lawlor, Rosen & Black).

Visitors: Visitors who signed the Log included Joyce Burr, Karl A. Grossenbacher, Dennis Beardsley (Staff Intern), Joanne Robinson (PAC), Larry Joyner, and Don Janowsky.

B. APPROVAL OF AGENDA

On motion of Director Cogswell, seconded by Director Kessel, the agenda for the Board meeting was approved by unanimous vote of the four Directors present. At the request of the General Manager Item 1.c. under the Consent Calendar was removed from the agenda, for consideration at a later date.

C. APPROVAL OF MINUTES of May 17, 1977

Subject to typographical corrections and clarification of Director Kessel's intent to resign from the advisory committee of the Bay Area Air Pollution Control District (1st line, page 13), the Minutes for the May 17, 1977 Board meeting were approved by unanimous vote, on motion of Director Jardin, seconded by Director Cogswell.

1. CONSENT CALENDAR

On motion of Director Kessel, seconded by Director Cogswell, Items 1.a. and 1.b. on the Consent Calendar were approved by unanimous vote. The adopted resolutions are noted below.

- a. Authorization to accept Quitclaim Deeds from Sparacino and Costanza to Right, Title, and Interest in Certain Lands on the Martinez Regional Shoreline.

Resolution No. 1977-6-158 authorizes acceptance of the quitclaim deed from the estate of Giuseppe Sparacino for his one-half interest in a 100-ft. strip of land on the Martinez Shoreline. Authorization to purchase this 1.19 acre parcel for \$26,000 was approved by the Board at its November 9, 1976 Board meeting. A copy of the current resolution is attached for reference.

Resolution No. 1977-6-159 authorizes acceptance of the quitclaim deed from the Rocco Costanza and Marguerite Costanza for their one-half interest in the 100-ft. strip of land at the Martinez Shoreline. A copy of said resolution is attached for reference.

b. Approval to renew Grade Crossing License Agreement at Point Pinole with Bethlehem Steel Corporation.

Resolution No. 1977-6-160 approves extension of the Bethlehem Steel license agreement until May 31, 1978, permitting the District to cross Bethlehem Steel premises and a grade-separated bridge over Southern Pacific railroad tracks for access to Point Pinole. A copy of said resolution is attached for reference.

c. Adoption of Job Description for Administrative Assistant Planning and Design Department.

This item was removed from the Consent Calendar at the request of the General Manager for further review and presentation at a later date. Chairman Badger stated that two separate motions were required, one to approve the position, the other to approve the job description, when it comes before the Board again. However, Asst. General Manager Kent stated that the position was included in the 1977/78 Budget.

2, LAND ACQUISITION

a. Acquisition of 54 acres of Great Day Sales and Development Company property at Redwood Regional Park.

Chief of Acquisition Hulet Hornbeck reported on this item, stating that the 54 acres consisted of a 1500 ft. strip of land fronting on Redwood Road. An aerial map of the area was on display and Chairman Badger pointed out all of the separate parcels of the Great Day property. Mr. Hornbeck stated that the 54 acres consisted of two parcels, one of about 9 acres and the other of about 44 acres, more or less, on which the District has an option at \$1200 an acre, for a total purchase price of \$66,000.

Mr. Hornbeck stated that important considerations were the fact that the Golden Spike Trail has been traversing the property for years and that the 44 acre parcel is next to the Coffey property. Mr. Hornbeck concluded that this was an extremely satisfactory acquisition and removes another private inholding having a significant frontage on Redwood Road that could present an ongoing threat to the park. Mr. Hornbeck recommended that the Board approve the purchase.

(1) Acceptance of Acquisition Evaluation Report.

On motion of Director Kessel, seconded by Director Cogswell, the Acquisition Evaluation Report for the 54 acres of Great Day Sales and Development Company

property was approved by unanimous vote of the four Directors present. A copy of the resolution accepting the report, No. 1977-6-161, is attached for reference.

(2) Authorization to Exercise Option for Purchase of 54 Acres for \$66,000.

On motion of Director Kessel, seconded by Director Cogswell, purchase of the 54 acres of Great Day property was approved by unanimous vote of the four Directors present. Accordingly, Resolution No. 1977-6-162 was adopted approving the purchase and appropriating the necessary funds from the Supplemental Land account. A copy of said resolution is attached for reference.

b. Gift of 28⁺ Acres for Addition to Anthony Chabot Regional Park.

On this item Mr. Hornbeck advised that the gift also consisted of two separate parcels of 14 acres each. The information packet to the Board indicated that building lots adjacent to the gift parcels would be retained by the owner. Director Jardin asked how this would affect the park. Mr. Hornbeck explained that the building sites are on the very top of the property adjacent to existing homes, with one building site on each of the two units, fronting on a residential street. Mr. Hornbeck said the building sites would be severed by the Oakland Planning Department from the gift area, and would eventually be developed and used as home sites.

The 14 acres, Mr. Hornbeck said, in each case is the up slope of the park and upper portions of the watershed and relates to the District's program of not just protecting the lower levels, but protecting the lower levels against alternate land uses on the ridges above. Mr. Hornbeck assured Mr. Jardin that the gift did not grant the donor any exclusive use of the property, that it will be part and parcel of Anthony Chabot Regional Park. Mr. Hornbeck added that the property had overriding public values as part of the Redwood area, part of the ground cover and drainage protection for the East Bay Municipal Utility District.

In response to a question by Chairman Badger, Mr. Hornbeck said in terms of taking these kinds of lands off the tax roles, they had only nominal tax value, as in the larger sense the property tax values come from improvements on properties. Mr. Hornbeck cited the recent Rowell property purchase by the District as an example where the proceeds from the grazing and possessory tax paid by the tenant are greater in terms of money coming to the public than when it was in private ownership, that it cost the county more to process the property tax documents than the amount of revenue it derived. Chairman Badger said he was glad to hear this, as the District is accused so many times of taking property off the tax roles. Director Badger said it would not hurt to get this message out to some of the citizens who feel that the District is constantly doing this.

(1) Acceptance of Acquisition Evaluation Report.

Director Jardin moved to accept the Acquisition Evaluation Report. Director Cogswell seconded the motion, noting that the emphasis was on the mature brush association of 10 or more species and suggested that some of the species were quite worthwhile leaving there and ought not to be removed. The motion passed unanimously. Accordingly, Resolution No. 1977-6-163 was adopted, a copy of which is attached for reference.

(2) Acceptance of Gift of 28⁺ Acres.

Director Jardin moved to accept the gift of 28 acres. Director Cogswell seconded the motion and called attention to the fact that the proposed resolution did not include any funds for recording and transfer of title. General Manager Trudeau responded that this was not required as the recording expenses would probably be under \$500 and within the General Manager's authorization.

Resolution No. 1977-6-164 accepting the gift of land was accordingly adopted. A copy of said resolution is attached for reference. In concluding the discussion on this item, Director Jardin noted that the Acquisition Evaluation Report indicated that the boundary between Redwood and Anthony Chabot Regional Parks was soon to be redefined. Director Cogswell also stated that he had discussed this with staff and was convinced by staff of the wisdom of the boundary change. General Manager Trudeau said redefinition of the boundary would come to the Board at a later date when the Land Use Development Plan for Redwood Regional Park is presented to the Board.

3. OPERATIONS

a. Report on Berkeley Open Space/Panoramic Hill Fire Road.

Ass't. General Manager Kent reviewed the District's consistent concern since 1970 for the fire safety of the 200 residents living in the Panoramic Hill area, back of the Berkeley Open Space Regional Preserve (California School for the Deaf and Blind). The District took over the management responsibility for the Preserve from the State by lease agreement for a ten-year period, through 1980, Mr. Kent said.

Mr. Kent described the present fire equipment access, the problems of getting equipment into the area, and the difficulty in getting a consensus on the fire road location, the method of construction and operation, with the proposals being rejected either by Berkeley, Oakland, the University of California, or the hill residents.

At this point, Mr. Kent said, there were three routes, with no consensus, and that the staff position essentially is to continue working with the Panoramic Hill residents and the two cities trying to find a consensus on a route for a fire trail. Staff has also taken the position, Mr. Kent said, that it might be best to have one agency responsible for the area, until the rest of the Claremont Canyon project is developed or not developed, so that one agency would be dealing with the State and the homeowners. Mr. Kent said that staff would prefer that agency to be Berkeley.

Director Cogswell noted that the city boundaries are such that the staff preference for the fire road is through the City of Oakland. Mr. Kent said both Oakland and Berkeley have accepted the responsibility for portions of Panoramic Hill, with some of the homes in Berkeley and some in Oakland. Berkeley, however, Mr. Kent said, has taken a much more aggressive position than Oakland.

Director Badger asked, if the District signed it's lease rights to Berkeley, would there be any possibility of getting the rights back at some future date. Mr. Kent said a condition could be provided in the lease, if the State approves, that at some point if the District puts the upland preserve together (Claremont Canyon) this area could be brought back into the District.

General Manager Trudeau said it did not make any difference who had the area as long as

it remained in public ownership and that most of the residents in the Panoramic Hill area work at the University of California and have a strong feeling about Berkeley. The fire situation, Mr. Trudeau said, would be easier to resolve if the area were in one jurisdiction or the other.

Mr. Trudeau said that no formal action was asked by the Board, that this was in the nature of a report, but that any thoughts that the Board may have to offer would be welcomed. Any decision, he said, could be made at a regular Board meeting, and advised that the Board will be kept informed on any developments.

b. Report on George Miller, Jr. Dedication.

In the absence of Mac Slee, Chief of Public Information, who was involved in the preparations for the dedication and therefore not present at the meeting, General Manager Trudeau reported on this item. Mr. Trudeau said the dedication ceremonies would take place Saturday morning June 11, commencing at 10 a.m. with opening remarks by Judge David Calfee, invocation by Reverend C. W. Newsome, the Pastor of North Richmond Baptist Church, and Assemblyman John Knox as the principal speaker. Others expected to speak were Supervisors James Kenny and Nancy Fahden, Director Badger, the Mayor of Richmond, and George Miller, Jr. III, if he is able to attend.

Mr. Trudeau said his role will be to make sure that no one is overlooked who should receive recognition for their part in development of this regional shoreline park. Activities will include kite flying contests, nature hiking tour of Nichol Knob, music by the "Fresh Picked" Blue Grass Band. A luncheon is planned for honored guests, Mr. Trudeau said, at the Baltic Restaurant at Point Richmond. Directors and their wives were invited to attend.

Director Cogswell asked if the tide was going to be high or low for the occasion. Staff admitted that this was one item that was overlooked and is one more item to check on.

c. Progress Report on Oyster Bay Regional Shoreline.

General Manager Trudeau reported on the work of Lewis Crutcher, Chief of Planning and Design, along with Hulet Hornbeck, Chief of Acquisition, and Director Jardin, who served as chairman of the advisory committee, and particularly the meetings with the Mulford Gardens Improvement Association. Mr. Trudeau said the District is willing to accept this property under the following conditions: (1) no acquisition cost for the 194 acres; (2) the District cannot become involved with park development until after 1982 and only then if the District gets additional funds; and (3) the District cannot assume the responsibility for doing what should be done by the Oakland Scavenger Company or the State Water Quality Control Board in providing the fill material over the garbage material, except insofar as what will be required to ultimately turn the area into a park.

Mr. Trudeau stated that the District is willing to monitor the methane. Mr. Trudeau advised that the City of San Leandro has granted another extension of the interim fill permit to the Oakland Scavenger Company and that a meeting with the Water Quality Control Board is scheduled for Wednesday, June 8. If there is no disagreement on the plans for development of the park, Mr. Trudeau said, District Counsel Deanna Lyon could start putting the agreement together.

Director Badger asked if there was any possibility of extending the fill permit another time. Mr. Trudeau responded that this will depend on the staff guidance in terms of the height of the hill. If the fill material and garbage disposal material compact a

great deal, Mr. Trudeau said, another extension may be required. Director Jardin also stated that the District did make a commitment to the homeowners association that the District will monitor the grade of the fill. The present word is that the fill will be 2½ feet.

Mr. Crutcher said it appears that there will be various sources of fill, such as silt from Temescal and other District silt ponds, and sewage sludge which properly amended will make good top soil to build a cover useable for District purposes. Joyce Burr, attending the meeting, recommended that in planning the landscape people will not have to look at the bay through a screen of trees, as at Point Isabel. Mr. Trudeau said at present there is not a tree to be seen on the 194 acres. Director Jardin also responded that once Mrs. Burr sees the plan and how it will be worked out, she will feel very comfortable about the proposed landscaping. Chief of Planning and Design Crutcher also stated that in this particular park there are three separate vistas and because of the serious wind problem, there will be mounds and tree screens to break the wind. However, Mrs. Burr added that people who are waterfront oriented expect the wind and so not to worry too much about it.

As a concluding statement on this item, Director Jardin repeated that the District does not expect to develop the park until about 1982, and that Oakland Scavenger has agreed to landscape the eastern end of the park to provide a nice green area there, although not open to use. It was also suggested that a Board field trip to the site be arranged.

d. Presentation by Manfred Lindner.

Inasmuch as Mr. Lindner preferred to make his presentation before the full Board, this matter was carried over to the June 21 Board meeting.

4. FINANCES

a. Approval of Demands.

The Directors had specific questions on a number of warrant payments listed in the Demand Register, with explanation by Assistant Controller Perry Carter. Following the review, the Demands for the period ending May 31, 1977, totaling \$472,415.09, were approved by unanimous vote, on motion of Director Cogswell, seconded by Director Kessel.

Director Costa arrived when this item was discussed and participated in the vote. A copy of Resolution No. 1977-6-165 covering the Board action, is attached for reference.

b. Adoption of 1977/78 Fiscal Budget.

General Manager Trudeau reported on the number of Finance Committee meetings, the work sessions, and the public hearing held on May 31 at BART Headquarters on the District's budget for the Fiscal Year 1977/78 (April 1, 1977 through March 31, 1978). Director Jardin, Chairman of the Board Finance Committee, moved for adoption of the budget totaling \$26,328,947, with \$10,373,035 for the General Fund and \$15,953,912 for the Supplemental Land Fund (composed of \$8,945,271 (80%) for land acquisition, including a debt service fund of \$986,447, and \$7,008,641 (20%) for operation and development of the new park lands). Director Cogswell seconded the motion.

In making the motion to approve the budget Director Jardin commented that it was a privilege to chair the Board Finance Committee this year and complimented co-members Cogswell and Kessel for their committee work, as well as the staff for adopting the modified zero budget basis for preparation of the budget. Mr. Jardin also stated there was no surer way of getting a good feel of the District than to work on the budget, with zero budgeting the way to go.

Director Jefferds arrived at this point. Chairman Badger noted that this was the largest budget to his knowledge and that this budget has gone the most smoothly of any budget he has worked on. This, he said, has to be attributed in some way on the committee and staff, who should take a bow for their work. Director Costa also commented that this was his first experience with the District budget and agreed that it was done very competently and smoothly. Mr. Costa said he was very pleased to see that the District is able to handle as much money as is involved in the budget so efficiently.

By the vote which followed, the Budget for the Fiscal Year 1977/78 was approved by the unanimous vote of the six Directors. Accordingly, Resolution No. 1977-6-166 was adopted, a copy of which is attached to these Minutes for reference.

For the record it should be noted that the proposed budget received wide spread distribution throughout the two counties, with copies going to most of the public libraries, other taxing agencies, city and county departments, groups and individuals interested in the District and the public hearing was heavily publicized. More than 450 copies of the proposed budget had been sent out prior to the public hearing. Copies of the adopted budget are available at the District Headquarters upon request.

E. ADDENDA TO AGENDA

None.

F. COMMUNICATIONS

Although many letters had been received and distributed to the Board, none required formal action. Acknowledgments and responses were handled by staff.

G. COMMENTS: GENERAL MANAGER, BOARD, and PUBLIC

Chairman Badger suggested that the agenda for Board meetings indicate coming events between now and the next meeting, to keep the Board up to date as to what is coming up without having to refer back to printed lists. General Manager Trudeau advised that although separate mailings of important dates are sent to the Board, including the dates with the agenda would be no problem. Joyce Burr also commented that it would be useful to those on the agenda mailing list if this kind of information was listed on the agenda for the public.

Mr. Trudeau reminded the Board of the following events: George Miller dedication on Saturday, June 11; Sand Castle Contest at Crown Beach, Alameda, on Saturday, June 18; Bunker Hill Day at Sunol on Sunday, June 19; and the start of the Fishing Derby at Chabot on Monday, June 20, with the awards to be presented the following Sunday, June 26.

Visitors to the Regional Parks included one from Edinburgh, the Capitol of Scotland, and the Director of the Penn State Department of Parks and Recreation, Mr. Trudeau said.

Mr. Trudeau also reported that the District was the recipient of an award from the Metropolitan Transportation Commission for its efforts in public transportation to regional facilities. Mr. Trudeau said these efforts go back a number of years from the time of the staff studies with BART and the bus programs with A/C Transit. Mr. Trudeau said the District was the only park agency in the area to receive an award of this kind.

Mr. Trudeau also announced the award given to Park Supervisor Grady Simril, winner of the award as the outstanding park supervisor in Northern California for his contribution by a minority staff person. The award was presented by the Ethnic Minority Association of California. The Board extended its congratulations to Mr. Grady.

Mr. Trudeau advised that the Knox bill, AB 854 increasing compensation for the Directors, is on the Governor's desk. The bill is expected to be signed within the next ten days, Mr. Trudeau said, and no problems are anticipated.

Mr. Trudeau noted that a Special Districts Forum and National Association of Counties Conference will be held in Detroit, Michigan, July 22-24 and July 24-27, respectively, and suggested that those Directors who plan to attend take advantage of the special airline excursion rates which apply for a minimum of 7 days and reservations to be made two weeks prior to departure. Director Jefferds requested that another packet of information on the forum and conference be sent to the Board.

Mr. Trudeau also called attention to the NRPA Congress at Las Vegas in early October and asked that the Directors give serious thought on attending. Directors Jefferds and Jardin had indicated their plans to attend this session.

Referring to a letter dated June 3, 1977 which had been sent directly to each of the Directors by Dr. Robert Stebbins, Curator of Herpetology and Professor of Zoology at the University of California and signed by six other Professors, Director Cogswell stated that he discussed this with Assistant General Manager Kent and was assured that there is no intent now or in the future to construct a fuel break on the northeast-facing slope of Wildcat Canyon as was purported in the letter. Director Jefferds said she would like to have a copy of the response from staff to the letter.

Director Kessel also commented that he was happy to learn that the fuel break at Wildcat Canyon is not planned, but expressed his concern about the use of 2-4-D by the 415 Society to discourage eucalyptus growth and the effect it might have on wildlife, which was also covered in Dr. Stebbins' letter. Director Jefferds said she was sure that this matter would also be covered in the response from staff.

Director Cogswell reported that Barbara Batten, one of his appointees on the Park Advisory Committee, informed him that her husband has accepted an appointment at the Camarillo State Hospital in Ventura County, and that they will be moving in mid August. Therefore, Director Cogswell said, he will need to make another appointment to the committee. General Manager Trudeau said there was someone waiting in the wings to serve on the committee from that area and that he would discuss this with Dr. Cogswell.

Director Jefferds acknowledged Controller Meilandt's memos on unemployment insurance and workmen's compensation insurance and stated that the District, as well as the California Association of Recreation and Park Districts will benefit from Mr. Meilandt's contribution.

Director Jefferds also called attention to the EIR on the subdivision development planned adjacent to Sibley Regional Preserve (Round Top) and the need to respond by June 12.

Chief of Acquisition Hornbeck advised that this will be discussed during the Executive Session following the meeting, along with other land acquisition matters.

Chairman Badger asked if any committee meetings were scheduled. Director Jefferds advised that the Shoreline Committee (Jefferds, Badger and Cogswell) would be meeting next Tuesday, June 14, at 5:30 p.m. at the District Headquarters. Director Kessel also advised that he will try to arrange a meeting of the Pension Committee within the next two weeks.

Referring to the Budget approved at this meeting, Director Jefferds asked when the tax rate would be set. Assistant Controller Perry Carter advised that this could not be done until the assessed valuations are received from the two counties in August. General Manager Trudeau stated that the tax rate will have to be set by the Board before the end of that month, either at the second scheduled Board meeting in August, or at a special meeting called for this purpose.

General Manager Trudeau also introduced Administrative Intern Dennis Beardsley, who will be working in the management department during the summer months, and presently involved in the dedication program at George Miller.

H. EXECUTIVE SESSION ON LAND ACQUISITIONS with Attorney Jack Rogers - Conference Room 2 - Fifth Floor, BART Headquarters.

As there were no further comments, the Directors adjourned into Executive Session on land acquisition items, at 3:45 p.m.

I. ADJOURNMENT

Following the Executive Session, no formal Board actions were announced and the regular meeting of the Board of Directors of June 7, 1977, was adjourned at 5:10 p.m., as there was no further business to come before the Board for this session.

Respectfully submitted,

Harold R. Luhtala, Secretary

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-158

June 7, 1977

AUTHORIZATION TO ACCEPT QUITCLAIM DEED FROM THE ESTATE OF GIUSEPPE SPARACINO
TO PROPERTY ON MARTINEZ REGIONAL SHORELINE

WHEREAS, by Resolution No. 1977-4-96 adopted April 5, 1977, this Board authorized the acquisition of certain property containing 1.19 acres on the Martinez Regional Shoreline which property is owned by the Estate of Giuseppe Sparacino ("Sparacino"), as to an undivided one-half interest, and by Rocco M. Costanza ("Costanza"), as to an undivided one-half interest; and

WHEREAS, under the terms of the option to purchase said property, Sparacino and Costanza agreed to execute a Quitclaim Deed to any right, title or interest held by them in a 100-foot strip of land east of and adjacent to the option property; and

WHEREAS, the Estate of Giuseppe Sparacino has executed and delivered to the District the appropriate Quitclaim Deed with regards to its interest in said 100-foot strip;

WHEREAS, under the District's Environmental Review Manual, this acquisition is categorically exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to accept the Quitclaim Deed of the Estate of Giuseppe Sparacino to a 100-foot strip of land on the Martinez Regional Shoreline, and the General Manager is directed to record same in the official records of Contra Costa County.

Moved by Director Harlan R. Kessel, seconded by Director Howard L. Cogswell, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Directors Walter H. Costa, Mary Lee Jefferds, and John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-159

June 7, 1977

AUTHORIZATION TO ACCEPT QUITCLAIM DEED FROM ROCCO COSTANZA AND MARGUERITE
COSTANZA TO PROPERTY ON MARTINEZ REGIONAL SHORELINE

WHEREAS, by Resolution No. 1977-4-96 adopted April 5, 1977, this Board authorized the acquisition of certain property containing 1.19 acres on the Martinez Regional Shoreline which property is owned by the Estate of Giuseppe Sparacino ("Sparacino"), as to an undivided one-half interest, and by Rocco M. Costanza ("Costanza"), as to an undivided one-half interest; and

WHEREAS, under the terms of the option to purchase said property, Sparacino and Costanza agreed to execute a Quitclaim Deed to any right, title or interest held by them in a 100-foot strip of land east of and adjacent to the option property; and

WHEREAS, Rocco Costanza and Marguerite Costanza, his wife, have executed and delivered to the District the appropriate Quitclaim Deed with regards to their interest in said 100-foot strip; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is categorically exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to accept the Quitclaim Deed of Rocco Costanza and Marguerite Costanza, his wife, to a 100-foot strip of land on the Martinez Regional Shoreline, and the General Manager is directed to record same in the official records of Contra Costa County.

Moved by Director Harlan R. Kessel, seconded by Director Howard L. Cogswell, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Directors Walter H. Costa, Mary Lee Jefferds, and John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-160

June 7, 1977

APPROVAL TO EXTEND NON-EXCLUSIVE LICENSE AGREEMENT TO CROSS PRIVATE LANDS OF
BETHLEHEM STEEL CORPORATION AT POINT PINOLE REGIONAL SHORELINE

WHEREAS, by letter dated March 24, 1976, Bethlehem Steel Corporation granted to the East Bay Regional Park District an extension of the Park District's License Agreement to cross certain premises of Bethlehem Steel, including a grade-separated bridge over railroad tracks of the Southern Pacific Company, for access to Point Pinole Regional Shoreline; and

WHEREAS, said extension of the license agreement between Bethlehem Steel and the Park District expired on May 31, 1977; and

WHEREAS, the Park District and Bethlehem Steel have negotiated a further extension of the license agreement to be in effect until May 31, 1978;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to execute and deliver an extension to May 31, 1978 of the existing license agreement with Bethlehem Steel, as described above.

Moved by Director Harlan R. Kessel, seconded by Director Howard L. Cogswell, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Directors Walter H. Costa, Mary Lee Jefferds, and John J. Leavitt .

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-161

June 7, 1977

ACCEPTANCE OF ACQUISITION EVALUATION REPORT ON 54 ACRES OF GREAT DAY DEVELOPMENT SALES CORPORATION PROPERTY FOR ADDITION TO REDWOOD REGIONAL PARK

WHEREAS, the East Bay Regional Park District is considering acquisition by purchase of 54 acres, more or less, of Great Day Development Sales Corporation property for addition to Redwood Regional Park; and

WHEREAS, Staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation Report covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation Report presented to and considered by the Board this date, covering 54 acres, more or less, of Great Day Development Sales Corporation property for addition to Redwood Regional Park, is hereby accepted for filing, and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan.

Moved by Director Harlan R. Kessel, seconded by Director Howard L. Cogswell, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Directors Walter H. Costa, Mary Lee Jefferds, and John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-162

June 7, 1977

AUTHORIZATION TO PURCHASE GREAT DAY DEVELOPMENT SALES CORPORATION PROPERTY AT
REDWOOD REGIONAL PARK

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed, all in accordance with the District's Master Plan; and

WHEREAS, by Resolution No. 1977-6-161, adopted June 7, 1977, this Board accepted an Acquisition Evaluation Report on the 54 acres, more or less, of Great Day Development Sales Corporation property for addition to Redwood Regional Park; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to exercise the District's option to purchase under that certain Option to Purchase Real Property between the District and Great Day Development Sales Corporation, dated May 11, 1977; the President and Secretary are authorized to accept a Grant Deed to the property described as Assessor Parcels 85-102-8 and 85-102-9-2, and more particularly described in Title Insurance and Trust Company's preliminary title report OK-266116, dated April 29, 1977; the President, Secretary, and General Manager are further authorized to do such acts as are required to complete the acquisition of said property; and the General Manager is directed to record the Deed in the Official Records of Alameda County; and

BE IT FURTHER RESOLVED that the sum of \$66,500.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-62 to pay the purchase price of \$66,000.00, title and escrow fees, and other expenses necessary to complete the acquisition.

Moved by Director Harlan R. Kessel, seconded by Director Howard L. Cogswell, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Directors Walter H. Costa, Mary Lee Jefferds, and John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-163

June 7, 1977

ACCEPTANCE OF ACQUISITION EVALUATION REPORT ON 28± ACRES OF GREAT DAY DEVELOPMENT SALES CORPORATION PROPERTY FOR ADDITION TO ANTHONY CHABOT REGIONAL PARK

WHEREAS, the East Bay Regional Park District is considering acquisition by gift of 28± acres, more or less, of Great Day Development Sales Corporation property for addition to Anthony Chabot Regional Park; and

WHEREAS, Staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation Report covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation Report presented to and considered by the Board this date, covering 28± acres, more or less, of Great Day Development Sales property for addition to Anthony Chabot Regional Park, is hereby accepted for filing, and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Directors Walter H. Costa, Mary Lee Jefferds, and John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-164

June 7, 1977

AUTHORIZATION TO ACCEPT GIFT OF PORTIONS OF ALAMEDA COUNTY ASSESSOR PARCELS
85-103-5-4 AND 85-200-4-8 OFF BROOKPARK ROAD AT ANTHONY CHABOT REGIONAL PARK

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed, all in accordance with the District's Master Plan; and

WHEREAS, by Resolution No. 1977-6-163, adopted June 7, 1977, this Board accepted an Acquisition Evaluation Report on the 28⁺ acres, more or less, of the subject property for addition to Anthony Chabot Regional Park; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that this Board accepts the offer of a gift of real property described as portions of Assessor Parcels 85-103-5-4 and 85-200-4-8 for addition to Anthony Chabot Regional Park; the President and Secretary are authorized to accept a Deed to said property; the President, Secretary, and General Manager are further authorized to do such acts as are required to complete the acquisition of said property, and the General Manager is directed to record the Deed in the Official Records of Alameda County.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Directors Walter H. Costa, Mary Lee Jefferds, and John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-165

June 7, 1977

APPROVAL OF DEMANDS - May 31, 1977

BE IT RESOLVED that the items set forth and as presented in the Demand Register for the period ending May 31, 1977, totaling \$472,415.09, are hereby approved and authorized for payment.

Moved by Director Howard L. Cogswell, seconded by Director Harlan R. Kessel, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Directors Mary Lee Jefferds, and John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-166

June 7, 1977

ADOPTION OF BUDGET FOR FISCAL YEAR 1977/78

WHEREAS, the General Manager has caused to be prepared and submitted to this Board the District's proposed annual budget and estimated amount of money that will be required for the operation, maintenance, upkeep and repair of the parks and other property of the District, and to defray the expenses of administering the affairs of the District (the "budget"); and

WHEREAS, all of the items delineated in the budget are necessary to carry out the objectives and purposes of the District and do not exceed anticipated revenues and appropriate reserves;

NOW, THEREFORE, BE IT RESOLVED that the budget for the Fiscal Year 1977/78 (April 1, 1977 through March 31, 1978) is hereby approved and adopted in the form presented to the Board this date, as amended by Board action this date, and in the final form to be certified by the Treasurer of the District and kept in the official records of the District, totaling \$26,328,947, with \$10,373,035 for the General Fund, and \$15,953,912 for the Supplemental Land Fund which is composed of \$8,945,271 (80%) (which includes funding for the Debt Service Fund of \$986,447), and \$7,008,641 (20%).

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-158

June 7, 1977

AUTHORIZATION TO ACCEPT QUITCLAIM DEED FROM THE ESTATE OF GIUSEPPE SPARACINO
TO PROPERTY ON MARTINEZ REGIONAL SHORELINE

WHEREAS, by Resolution No. 1977-4-96 adopted April 5, 1977, this Board authorized the acquisition of certain property containing 1.19 acres on the Martinez Regional Shoreline which property is owned by the Estate of Giuseppe Sparacino ("Sparacino"), as to an undivided one-half interest, and by Rocco M. Costanza ("Costanza"), as to an undivided one-half interest; and

WHEREAS, under the terms of the option to purchase said property, Sparacino and Costanza agreed to execute a Quitclaim Deed to any right, title or interest held by them in a 100-foot strip of land east of and adjacent to the option property; and

WHEREAS, the Estate of Giuseppe Sparacino has executed and delivered to the District the appropriate Quitclaim Deed with regards to its interest in said 100-foot strip;

WHEREAS, under the District's Environmental Review Manual, this acquisition is categorically exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to accept the Quitclaim Deed of the Estate of Giuseppe Sparacino to a 100-foot strip of land on the Martinez Regional Shoreline, and the General Manager is directed to record same in the official records of Contra Costa County.

Moved by Director Harlan R. Kessel, seconded by Director Howard L. Cogswell, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Directors Walter H. Costa, Mary Lee Jefferds, and John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-159

June 7, 1977

AUTHORIZATION TO ACCEPT QUITCLAIM DEED FROM ROCCO COSTANZA AND MARGUERITE
COSTANZA TO PROPERTY ON MARTINEZ REGIONAL SHORELINE

WHEREAS, by Resolution No. 1977-4-96 adopted April 5, 1977, this Board authorized the acquisition of certain property containing 1.19 acres on the Martinez Regional Shoreline which property is owned by the Estate of Giuseppe Sparacino ("Sparacino"), as to an undivided one-half interest, and by Rocco M. Costanza ("Costanza"), as to an undivided one-half interest; and

WHEREAS, under the terms of the option to purchase said property, Sparacino and Costanza agreed to execute a Quitclaim Deed to any right, title or interest held by them in a 100-foot strip of land east of and adjacent to the option property; and

WHEREAS, Rocco Costanza and Marguerite Costanza, his wife, have executed and delivered to the District the appropriate Quitclaim Deed with regards to their interest in said 100-foot strip; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is categorically exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to accept the Quitclaim Deed of Rocco Costanza and Marguerite Costanza, his wife, to a 100-foot strip of land on the Martinez Regional Shoreline, and the General Manager is directed to record same in the official records of Contra Costa County.

Moved by Director Harlan R. Kessel, seconded by Director Howard L. Cogswell, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Directors Walter H. Costa, Mary Lee Jefferds, and John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-160

June 7, 1977

APPROVAL TO EXTEND NON-EXCLUSIVE LICENSE AGREEMENT TO CROSS PRIVATE LANDS OF
BETHLEHEM STEEL CORPORATION AT POINT PINOLE REGIONAL SHORELINE

WHEREAS, by letter dated March 24, 1976, Bethlehem Steel Corporation granted to the East Bay Regional Park District an extension of the Park District's License Agreement to cross certain premises of Bethlehem Steel, including a grade-separated bridge over railroad tracks of the Southern Pacific Company, for access to Point Pinole Regional Shoreline; and

WHEREAS, said extension of the license agreement between Bethlehem Steel and the Park District expired on May 31, 1977; and

WHEREAS, the Park District and Bethlehem Steel have negotiated a further extension of the license agreement to be in effect until May 31, 1978;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to execute and deliver an extension to May 31, 1978 of the existing license agreement with Bethlehem Steel, as described above.

Moved by Director Harlan R. Kessel, seconded by Director Howard L. Cogswell, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Directors Walter H. Costa, Mary Lee Jefferds, and John J. Leavitt .

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-161

June 7, 1977

ACCEPTANCE OF ACQUISITION EVALUATION REPORT ON 54 ACRES OF GREAT DAY DEVELOPMENT SALES CORPORATION PROPERTY FOR ADDITION TO REDWOOD REGIONAL PARK

WHEREAS, the East Bay Regional Park District is considering acquisition by purchase of 54 acres, more or less, of Great Day Development Sales Corporation property for addition to Redwood Regional Park; and

WHEREAS, Staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation Report covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation Report presented to and considered by the Board this date, covering 54 acres, more or less, of Great Day Development Sales Corporation property for addition to Redwood Regional Park, is hereby accepted for filing, and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan.

Moved by Director Harlan R. Kessel, seconded by Director Howard L. Cogswell, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Directors Walter H. Costa, Mary Lee Jefferds, and John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-162

June 7, 1977

AUTHORIZATION TO PURCHASE GREAT DAY DEVELOPMENT SALES CORPORATION PROPERTY AT
REDWOOD REGIONAL PARK

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed, all in accordance with the District's Master Plan; and

WHEREAS, by Resolution No. 1977-6-161, adopted June 7, 1977, this Board accepted an Acquisition Evaluation Report on the 54 acres, more or less, of Great Day Development Sales Corporation property for addition to Redwood Regional Park; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to exercise the District's option to purchase under that certain Option to Purchase Real Property between the District and Great Day Development Sales Corporation, dated May 11, 1977; the President and Secretary are authorized to accept a Grant Deed to the property described as Assessor Parcels 85-102-8 and 85-102-9-2, and more particularly described in Title Insurance and Trust Company's preliminary title report OK-266116, dated April 29, 1977; the President, Secretary, and General Manager are further authorized to do such acts as are required to complete the acquisition of said property; and the General Manager is directed to record the Deed in the Official Records of Alameda County; and

BE IT FURTHER RESOLVED that the sum of \$66,500.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-62 to pay the purchase price of \$66,000.00, title and escrow fees, and other expenses necessary to complete the acquisition.

Moved by Director Harlan R. Kessel, seconded by Director Howard L. Cogswell, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Directors Walter H. Costa, Mary Lee Jefferds, and John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-163

June 7, 1977

ACCEPTANCE OF ACQUISITION EVALUATION REPORT ON 28± ACRES OF GREAT DAY DEVELOPMENT SALES CORPORATION PROPERTY FOR ADDITION TO ANTHONY CHABOT REGIONAL PARK

WHEREAS, the East Bay Regional Park District is considering acquisition by gift of 28± acres, more or less, of Great Day Development Sales Corporation property for addition to Anthony Chabot Regional Park; and

WHEREAS, Staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation Report covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation Report presented to and considered by the Board this date, covering 28± acres, more or less, of Great Day Development Sales property for addition to Anthony Chabot Regional Park, is hereby accepted for filing, and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Directors Walter H. Costa, Mary Lee Jefferds, and John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-164

June 7, 1977

AUTHORIZATION TO ACCEPT GIFT FROM GREAT DAY DEVELOPMENT SALES CORPORATION OF
REAL PROPERTY AT ANTHONY CHABOT REGIONAL PARK

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed, all in accordance with the District's Master Plan; and

WHEREAS, by Resolution No. 1977-6-163, adopted June 7, 1977, this Board accepted an Acquisition Evaluation Report on the 28 $\frac{1}{2}$ acres, more or less, of Great Day Development Sales Corporation property for addition to Anthony Chabot Regional Park; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that this Board accepts the offer of Great Day Development Sales Corporation of a gift of real property described as portions of Assessor Parcels 85-103-5-4 and 85-200-4-8 for addition to Anthony Chabot Regional Park; the President and Secretary are authorized to accept a Deed to said property; the President, Secretary, and General Manager are further authorized to do such acts as are required to complete the acquisition of said property, and the General Manager is directed to record the Deed in the Official Records of Alameda County.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Directors Walter H. Costa, Mary Lee Jefferds, and John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-165

June 7, 1977

APPROVAL OF DEMANDS - May 31, 1977

BE IT RESOLVED that the items set forth and as presented in the Demand Register for the period ending May 31, 977, totaling \$472,415.09, are hereby approved and authorized for payment.

Moved by Director Howard L. Cogswell, seconded by Director Harlan R. Kessel, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Directors Mary Lee Jefferds, and John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-166

June 7, 1977

ADOPTION OF BUDGET FOR FISCAL YEAR 1977/78

WHEREAS, the General Manager has caused to be prepared and submitted to this Board the District's proposed annual budget and estimated amount of money that will be required for the operation, maintenance, upkeep and repair of the parks and other property of the District, and to defray the expenses of administering the affairs of the District (the "budget"); and

WHEREAS, all of the items delineated in the budget are necessary to carry out the objectives and purposes of the District and do not exceed anticipated revenues and appropriate reserves;

NOW, THEREFORE, BE IT RESOLVED that the budget for the Fiscal Year 1977/78 (April 1, 1977 through March 31, 1978) is hereby approved and adopted in the form presented to the Board this date, as amended by Board action this date, and in the final form to be certified by the Treasurer of the District and kept in the official records of the District, totaling \$26,328,947, with \$10,373,035 for the General Fund, and \$15,953,912 for the Supplemental Land Fund which is composed of \$8,945,271 (80%) (which includes funding for the Debt Service Fund of \$986,447), and \$7,008,641 (20%).

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 7th day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

June 21, 1977

June 21, 1977

MINUTES
SPECIAL MEETING
EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS

7:30 p.m.

Tuesday, June 20, 1977

Council Chambers, City Hall
835 East 14th Street
San Leandro, California

A. ROLL CALL

President John J. Leavitt called the June 21, 1977 Special meeting of the Board of Directors of the East Bay Regional Park District to order at 7:40 p.m. The meeting was preceded by an Executive Session on Land Acquisition with Attorney Jack Rogers which had been called for 4:30 p.m. at the District Headquarters. This evening session was held in the Council Chambers of the San Leandro City Hall at 835 East 14th Street, San Leandro.

Present: Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.

Absent: Directors none.

Staff: General Manager Richard C. Trudeau, Chief of Administration Robert Owen, Asst. Controller Perry Carter, and Department Heads: Hulet Hornbeck, Chief of Acquisition; Lewis Crutcher, Chief of Planning and Design; Larry Olson, Chief, Public Safety; Staff members: Bill Gries, Donald Harms, Rich Aronson, Harry Reeves, Jana Olson, Grace Lewis, Harold Luhtala; Chief of Public Information Mac Snee, and District Counsel Donn Black of Wendel, Lawlor, Rosen & Black.

Visitors: Visitors who signed the Log included Manfred Lindner, J. E. Sandero, Audrey Albers, Tom and Sara Rankin, and employees Jack Kenny, Bob Flasher, Anne Jenks, Janice Childs, Walter Knight, and Management Intern Dennis Beardsley.

B. APPROVAL OF AGENDA

On motion of Director Jefferds, seconded by Director Cogswell, the agenda for the meeting was approved by unanimous vote, subject to removal of Consent Calendar item "e" at the request of the General Manager for further study.

C. APPROVAL OF MINUTES of June 7, 1977

Subject to typographical corrections and clarification regarding the depth of the fill material covering the garbage material at the Oyster Bay Regional Shoreline (top of page 6), the Minutes for the Board meeting of June 7, 1977, were approved by unanimous vote. Inasmuch Board President John J. Leavitt was absent from the June 7, 1977 meeting, he did not participate in the vote.

D. BUSINESS BEFORE THE BOARD

1. CONSENT CALENDAR:

On motion of Director Jefferds, seconded by Director Cogswell, items "a", "b", "c", "f", "g", "i", "k", and "l" were approved by unanimous vote. The resolutions adopted by the motion are noted below.

- a. Authorization to amend Contra Costa Canal Trail Agreement with Contra Costa County Water District and U.S. Bureau of Reclamation.

Resolution No. 1977-6-167 covers the Board action amending the Contra Costa Canal Trail Agreement to delete the provision that not less than \$100,000 be committed for a federal and/or state grant to be used in the development of the trail, and extending the date for development of the trail from January 1, 1977 to January 1, 1979. A copy of said resolution is attached for reference.

b. Award of Contract for Contra Costa Canal Trail Fencing at Contra Loma.

Resolution No. 1977-6-168 covers the Board Consent Calendar action and awards a contract for construction of the fencing at Contra Loma to Silva Fence Company of Santa Clara for \$11,979.00, on which the staff estimate was \$18,028. The resolution includes an allocation of \$13,180, which provides a contingency allowance of \$1,200. A copy of said resolution is attached for reference.

The award calls for construction of 3/4 of a mile of fencing along the canal between Contra Loma Boulevard and Lone Tree Way in the City of Antioch.

c. Acceptance of Acquisition Evaluation Report and authorization to acquire 25.37 acres, more or less, from Lone Star Industries, et al, for \$215,645 (\$8,500 per acre) - Alameda Creek Quarries Regional Recreation Area.

Resolution No. 1977-6-169 covers the Board action to accept the Acquisition Evaluation Report on this property for addition to the Alameda Creek Quarries Regional Recreation Area. A copy of said resolution is attached for reference.

Resolution No. 1977-6-170 authorizes purchase of the 25.37 acres of Lone Star Industries, et al, property for \$215,645 and allocates \$218,000 to pay the purchase price and expenses necessary to complete the acquisition. A copy of said resolution is attached for reference.

d. Acceptance of Acquisition Evaluation Report and authorization to acquire 670.4 acres of property at Black Diamond Mines Regional Preserve for \$301,680 (\$450 per acre).

This item was removed from the Consent Calendar at the request of Director Badger. Commenting on the acquisition, Director Badger noted that the District has already acquired 2900 acres for this preserve, that the proposed acquisition was not necessary as it posed no threat to the park, and that the funds could be used more soundly for acquisitions directed toward the population centers and core cities. Director Badger also stated that this item, along with item "c" should not be Consent Calendar items as they involved large sums of money.

President Leavitt explained that the two land acquisitions ("c" and "d") were included in the Consent Calendar because of the heavy agenda and the fact that they had been previously discussed by the Board. President Leavitt also commented that the 670 acre parcel was the only flat area immediately adjacent to the entrance to the park, where the present parking lot is inadequate and would provide a major staging area into the park. The importance of this acquisition was vividly demonstrated when some of the Directors made the tour of the Mines area, following the dedication ceremonies at Contra Loma, Mr. Leavitt said.

Director Badger also recalled that when the Black Diamond Mines area was first presented to the Board, it was to be a 900-acre park. Chief of Acquisition Hulet Hornbeck responded that this may have been the original concept for a park at this location prior to 1966, but that subsequent steps and adoption of the Master Plan supported development of a larger regional preserve with historical significance at this site.

A map of the Mines area was on display. Mr. Hornbeck pointed out the relationship of the proposed acquisition to the present park boundary and stated that this property has been under discussion with the property owners for a number of years and is owned by what is now three generations in a family. Under the District's option program, Mr. Hornbeck said, the District holds seven options for a total of 100% of the fee title to the property at the \$450 per acre figure that has been supported by independent appraisal.

On the question of cutting off Somersville Road, responding to Director Badger, Mr. Hornbeck said the District could not cut that road off as long as it abutted private property, that it is only at the point where the road enters existing parkland that steps can be taken to have the County abandon that portion of the road.

Mr. Hornbeck also described the improvements on the property of a six room, one story farm house, served by a 60 ft. well with a working windmill, plus a second windmill and spring arrangement with year-round water in another section of the property. Use of the structures, Mr. Hornbeck said, will come after studies yet to be made by staff. Mr. Hornbeck said the District proposes to enter into a five year grazing program with the property owners, with no recommendation beyond the five years. The grazing program, he said, would be under the full jurisdiction of the Board and the District.

Director Badger asked if it wasn't possible to provide a staging area along Somersville Road without buying the property. Lewis Crutcher, Chief of Planning and Design, responded that to some extent this was objective, that Black Diamond has the potential of being a great park and that purchase of this property would provide one of the few places in the District where one can park in a very positive natural entrance. Mr. Crutcher said it is one of the very few places in Black Diamond where activity can take place for staging where use of the preserve can be metered, to provide a unique and important thing for the operation and to make the park function in terms of the human experience.

Mr. Crutcher said there was unanimous staff approval that Sidney Flats (the area under consideration) was a critical acquisition to round out the park and bring it up to its potential. Director Cogswell commented that he sensed Mr. Badger's concern and asked if staff could reassure the Board that the acquisition would not in any way interfere with progress towards achieving the balanced parklands plan by 1982. General Manager Trudeau said categorically "yes", that it would still be possible to achieve the goals in other sections by 1982.

Director Costa stated that he concurred with staff and President Leavitt, and called attention to the value of the property to protect the slope to the south, where development could occur, as well as the aesthetic quality it will provide to this park. Director Jardin also agreed that this was going to be one of the greatest parks in the system that is not only going to draw people from the District, but state and nation-wide once it is fully developed. Although \$300,000 is a lot of money, Director Jardin said, it is going to be well spent in the long run once this park is developed.

Director Jardin then moved to accept the Acquisition Evaluation Report, as well as to authorize purchase of the 670 acres for addition to Black Diamond Mines Regional Preserve. Director Costa seconded the motion. Accordingly, Resolution Nos. 1977-6-171 and 1977-6-172, respectively, were adopted by a vote of 6 to 1, with Director Badger casting a "no" vote. Copies of said resolutions are attached for reference. The

purchase price was \$301,680. An additional \$5,000 allocation is included in Resolution No. 1977-6-172 to cover incidental expenses to complete the acquisition.

- e. Authorization to award a contract for Preliminary Engineering for Restoration of Lake Temescal.

This item had been removed from the Consent Calendar at the request of the General Manager and referred to staff for further study and consideration at the July 5 Board meeting.

- f. Authorization to Modify and Renew Concession Agreement for Miniature Train Concession - Redwood Valley Railway Company, Tilden Regional Park.

By the Consent Calendar motion of Director Jefferds, seconded by Director Cogswell, the Board approved the renewal and modification of the concession agreement for the Miniature Train Concession at Tilden Regional Park. The agreement is for a five year term commencing June 1, 1977 and ending May 31, 1982, and reduces the present fee of 10% of gross income to 5% of the first \$30,000 and 10% above that figure. Resolution No. 1977-6-173 covers the Board action, a copy of which is attached for reference.

- g. Approval of New and Revised Position Descriptions:

The Consent Calendar motion of Director Jefferds, seconded by Director Cogswell, approved the following new and revised position descriptions, by the four separate resolutions as listed. Copies of the resolutions are attached for reference.

- (1) Manager, Crafts Maintenance. Resolution No. 1977-6-174 approves the position description for Manager, Crafts Maintenance and reclassifies Charles Tronoff to the position. The salary range is Range 5, with Mr. Tronoff to begin at Step b.

<u>a</u>	<u>b</u>	<u>c</u>	<u>d</u>	<u>e</u>
\$19,417	20,321	21,272	22,270	23,316

The classification is a management position and is not within the collective bargaining unit.

- (2) Crafts Maintenance Supervisor. Resolution No. 1977-6-175 approves the revised position description for Crafts Maintenance Supervisor. The salary is in Range XIX, starting at \$1487 per month to \$1671 per month after three years.
- (3) Grants Coordinator. Resolution No. 1977-6-176 approves the new position of Grants Coordinator and establishes a salary at Range XIII, starting at \$1240 per month to \$1390 per month after three years.
- (4) Electrician's Helper. This also is a new position. Resolution No. 1977-6-177 approves the new classification and establishes a salary in Range XI, starting at \$1125 per month to \$1270 per month after three years.
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h. Approval of Confidential Employee Benefits.

Tom Rankin, representing collective bargaining unit Local 2428, spoke before the Board in opposition to approving the benefits for confidential employees. Mr. Rankin stated that the Board should realize that if they approved this, they were voiding the principle of equal pay for equal work and will be giving people, who happen by chance to be working for management, extra benefits over persons in the same classification working in other departments, also for management employees, getting different benefits.

Chief of Administration Bob Owen explained that there were only six confidential employees in the District who do work very closely with labor relations, the General Manager, the Controller, Chief of Public Safety and the Board. These six confidential positions, Mr. Owen said, are unrepresented by any organization and are a group that have negotiated directly requesting consideration for their position, just as the labor unions did. The benefits were reviewed, Mr. Owen said, and it was determined that this was a more equitable way to treat this group of people who had no other representation and that is why the proposal was made.

President Leavitt asked if the work of these six people was any different than that of those represented by Local 2428 and why staff was recommending benefits not normally shared by 2428 people. Mr. Owen explained that although they had unusual hours for which they were paid overtime, there was a difference in terms of the responsibility level in the positions, that is why they are called "confidential" positions, and are positions recognized by the National Labor Relations Board and the private sector which are not included in the labor agreement. There is no one to represent these employees, Mr. Owen said, and they do have a different relationship with the people for whom they work in terms of the type of material they are working with, the confidentiality of that material, and the level of expertise that is expected from this group. Because of their status, Mr. Owen said, it was felt that the benefits were deserving.

General Manager Trudeau also commented that Local 2428 and the Police Association members have other benefits which these employees do not share, such as the sick leave bank. Mr. Owen also said there were other management benefits which were not recommended for this group because of the difference in status. Director Jardin also commented that in most industry the majority of confidential people are usually classified as part of management, but that in the District they have not been included as part of management and therefore are negotiating on their own separately.

Director Costa moved to approve the benefits for the confidential employees. Director Cogswell seconded the motion. Accordingly, Resolution No. 1977-6-178 was adopted by a vote of 4 to 3, with Directors Cogswell, Costa, Jardin and Kessel casting "yes" votes and Directors Badger, Jefferds, and Leavitt casting "no" votes. A copy of said resolution is attached for reference.

The benefits provided include life insurance at two times the annual salary, medical and dental plans requiring no waiting period, disability insurance coverage similar to management, accidental death and dismemberment coverage, sick leave payment up to 45 days on retirement or voluntary termination after ten years, and family medical coverage for retirees. The estimated annual cost to the District to provide these benefits to the six confidential employees was \$2490.

i. Adoption of Reinstatement Policy - Public Safety Department.

By the Consent Calendar motion of Director Jefferds, seconded by Director Cogswell, Resolution No. 1977-6-179 approving a reinstatement policy for the Public Safety

Department was adopted by unanimous vote. Reinstatement of Public Safety personnel, who resigned in good standing, are now, by adoption of this policy, eligible for reinstatement within 18 months, subject to certain requirements and subject to a position being open and budgeted. A copy of said resolution is attached for reference.

j. Approval to join with 270 State and Local Governments in Lawsuit challenging the constitutionality of 1976 Unemployment Compensation Act.

This item was removed from the Consent Calendar at the request of Director Kessel. President Leavitt opened the discussion with the statement that what was being challenged here is a mandated unemployment package that the people, who are contesting the law, feel should be paid for by the federal government. It is not so much the issue of unemployment insurance, Mr. Leavitt said, but rather who pays for it.

Commenting on the subject, Director Kessel stated that the matter of unemployment compensation had come up several times before and that more and more businesses are using free lance and part time employees in an attempt to deal with bulging payrolls and inflation. To deny part time workers unemployment compensation, which systematically appears to be attempted in many areas, including the public sphere, is morally and constitutionally wrong, Mr. Kessel said.

Director Kessel cited reasons for not joining in the lawsuit. He said the material submitted to the Board was skimpy and not supported by facts, statistics, or a legal opinion. Mr. Kessel said he did not believe there would be no cost to the District to join in the lawsuit, as was indicated, as it could go on in the courts for years and the bookkeeping involved and the amount to be paid back in the event of loss, could be much greater than any risk.

Director Kessel said the reason this has been presented to the Board is that unemployment compensation is costly and because of the District's policy of summer employment, since the insurance rate is based on performance, the cost would go up. However, Mr. Kessel said, the summer employees for the most part are students who go back to school in the fall, so it would be illegal for them to attempt to collect unemployment. By the very nature of the type of people the District employs and the time they are employed, these people do not apply for unemployment compensation, Mr. Kessel said, adding that he did not agree with the risk figures and financial implications as presented.

Director Kessel said public employees should be entitled to unemployment compensation, regardless of the length of a person's employment. Any program of this type, he said, depends on broad participation, otherwise it doesn't make sense, and that all employees should be covered for almost any kind of work, regardless of the duration. If public employees are exempt from this, Director Kessel said, whether part time or full time, it is going to lay the entire burden on private industry and they will not have the kind of broad financial base for unemployment compensation that is needed. Director Kessel urged the Board not to join in the lawsuit.

Employee Bob Flasher, President of Local 2428, also commented on this subject, stating that it is important that all sectors are covered by any legislation, that since 1935 the private sector has had to foot all the bills, and this legislation, as proposed, will spread the cost between the private and the public sector, so that the tax burden will be spread more evenly among the people. As a taxpayer, Mr. Flasher said, he would be paying less federal tax, but will be paying more local tax to support the program at the local level. It is just a shift of the tax burden, Mr. Flasher said, and his taxes will remain the same overall.

Mr. Flasher said his concerns involved the Affirmative Action Program, as most of the 12 month jobs are filled by people who have been three, six or nine month employees. Those are the categories, he said, of employees that the District has had the best affirmative action success in hiring and the union is looking forward to many of them being promoted to 12 month status.

If they do not have unemployment insurance to tide them over between the time they work and the time they are able to come back the next year, all the effort put into recruiting and training minorities and women will go to waste, as they will have to seek jobs elsewhere and will be lost to the District, Mr. Flasher said. This, he said, is going to create a huge clog in the Affirmative Action Program.

Mr. Flasher said that no one wants to foot the bill for the discrimination in society, that the lawsuit was reactionary, and that if the District joined in the suit it will be putting a block in the way of minorities and women to achieving full jobs with the Park District or having an equal opportunity to get those jobs. It is mainly those people, he said, that are going to be affected and are going to be suffering for it. Mr. Flasher said the Board had a moral and social responsibility and to weigh these against the financial problems and do what they know is right.

Anne Jenks, a nine month park worker, who attended the meeting with her son Luke to support the union position, stated that she has worked for the District for over three years and took the nine month job because, as a single parent, she might be able to spend some time with her son. Ms. Jenks said she feels committed to her job and takes a great deal of pride in her park work. During the time she is laid off, she does look for part time work, Ms. Jenks said, but that jobs are scarce and the unemployment compensation, which she received for the first time last year, helps out. Ms. Jenks asked the Board to consider its decision carefully and decide not to join in the lawsuit, but to allow those District employees who are eligible to claim unemployment compensation.

Business representative for Local 2428 Tom Rankin said there was a misunderstanding what the lawsuit is about and that by a lawsuit you can't require the federal government to fund the program. What the lawsuit is trying to do is to say that the law is unconstitutional. Mr. Rankin reminded the Board of the social purpose of the legislation, that it took the depression in the first place to get unemployment insurance and in 1970 the law was finally extended and the present law, passed last October, extends unemployment coverage to an additional 9.1 million jobs, and now covers 97% of the work force, including public employees.

Mr. Rankin said there were other answers to the Board's concerns about cost to the District because of any high experience rating due to the number of seasonal employees. What should be done, Mr. Rankin said, is to support legislation which does away with the system of basing the premiums on an experience rating, which is an unfair system, and to push for legislation to spread the burden around equally. Labor has been pushing for this for a long time, Mr. Rankin concluded.

Chief of Administration Owen commented that the District has a serious situation in terms of the total number of District employees who are seasonal in nature, that it has a double work force. Mr. Owen said the District has an enviable record in terms of lay-off for permanent employees, that the problem is only with the seasonal workers. What the Board has to deal with here is that the District is being asked to support a life style with unemployment insurance which could cost the District at a minimum of \$50,000 a year. By pursuing the lawsuit, the District will at least get the protection of seeing what is going to happen with the legislation, rather than sitting back and saying we will accept whatever is laid on us, Mr. Owen said.

In terms of delaying the matter, Mr. Owen said the decision to join the lawsuit has to

be made by July 1, so that a vote to delay, would be a vote to reject the proposal.

President Leavitt asked Mr. Owen if the majority of six and nine month employees returned to the District over the years and what percentage applied for 12 month jobs. Mr. Owen said the nine month employees return almost 100%, with half of the six month employees returning. Very few nine month employees applied for 12 month jobs, as the majority prefer the nine month style, but in terms of the six month employees at least half would like to become permanent full time employees, Mr. Owen said.

Director Cogswell commented there was some implication in the presentation by the union that if the lawsuit was successful unemployment compensation could be done away with entirely. Mr. Owen explained that the District was not covered by unemployment compensation and that under a special program which is currently in effect because of the large number of unemployed people, a number of nine month employees were eligible for the first time, and were funded by the federal government. Director Cogswell asked if full time employees were laid off, would they be eligible for unemployment benefits. Mr. Owen said only under the special program that ends, but that under the labor agreement there is a schedule of benefits provided.

General Manager Trudeau said it should be made clear that the District is not opposed to unemployment insurance for permanent employees, but is concerned about the three, six and nine month employees and the nature of the seasonal work. President Leavitt stated that the District should not be bound to paying for people who prefer to work shorter periods of time, particularly when the taxpayers are demanding that the District keep its costs down and its budget in order.

Mr. Rankin countered that these people do not automatically get unemployment as a gift, that they have to be willing to work. If there aren't any jobs around, then they will collect, but if there are jobs that they can get, they have to take them, he said. President Leavitt asked for comments from Director Jefferds. Miss Jefferds responded that although she had brought this up before and had strongly supported the lawsuit as being in the best interest of the District, the union's presentation brought many questions to mind for which she did not have the answers or the statistics. Director Jefferds said that she was sorry but she would have to withdraw her support for something which she started.

Director Jardin commented that the lawsuit is challenging the constitutionality of the law and that there are 270 other agencies who are concerned. Director Jardin moved to join in the lawsuit, stating that the courts were fair and what is right is going to be right and that the District is going to have to comply one way or other with the court's decision. President Leavitt seconded the motion, which failed to pass by a vote of 5 to 2. Directors Badger, Cogswell, Costa, Jefferds and Kessel voted against joining in the lawsuit. Directors Jardin and Leavitt voted "yes".

In voting against joining in the lawsuit Director Badger said he would rather see one or two freeloaders get through and make sure that the District supports the others in the organization deserving of unemployment compensation.

k. Approval of Demands

The Consent Calendar motion of Director Jefferds, seconded by Director Cogswell, approved the Demands for the period ending June 21, 1977, totaling \$900,851.97. Resolution No. 1977-6-180 covers the Board action, a copy of which is attached for reference.

j. Acceptance of Financial Statement.

This item was also listed on the Consent Calendar. As there were no questions from the Board, the Operating Statement for the two months ending May 31, 1977 was accepted and ordered filed. A copy is available for inspection at the District Headquarters.

2. PRESENTATION OF PROPOSED LAND USE-DEVELOPMENT PLAN/EIR FOR OYSTER BAY REGIONAL SHORELINE BY DISTRICT STAFF AND CONSULTANTS AND POSSIBLE APPROVAL.

On motion of Director Jardin, seconded by Director Badger, the Board adopted Resolution No. 1977-6-181 certifying completion of the final EIR for the Land Use-Development Plan at the Oyster Bay Regional Shoreline and the filing of a Notice of Determination to Proceed with the project. A copy of said resolution is attached for reference.

In introductory comments General Manager Trudeau stated that it was for this item that the Board meeting was being held in San Leandro. The site, Mr. Trudeau said, will provide a magnificent shoreline park of 194 acres, although the final details of the agreement with Oakland Scavenger Company have not been completed. That will come later, Mr. Trudeau said. Mr. Trudeau reviewed the series of meetings on the project held with the City of San Leandro, the citizens committee meetings chaired by Director Jardin with the homeowners associations, and with Oakland Scavenger Company.

The key to the project, Mr. Trudeau said, is essentially to be made by the Water Quality Control Board on July 19. Mr. Trudeau said it was assumed that the District and Oakland Scavenger will have a hand in the decision that is made for the site. No agreement will be presented to the Board, Mr. Trudeau said, for approval until staff is satisfied that it is in the best interest of the District to go ahead with the project and will not set the District back an inordinate amount of money beyond that which the Oakland Scavenger Company has to do.

Mr. Trudeau said it will be a step forward if the Board will be able to adopt the Land Use-Development Plan/EIR at this meeting. Lewis Crutcher, Chief of Planning and Design, commented on the intense participation of the citizens in the project, with representatives from three neighborhoods, plus the park commission involved in the planning process.

Representatives of the consulting firm of Royston, Hanamoto, Beck & Abey, retained by the District to provide the planning, design and engineering consultant services for this project were present at the meeting. George Girvin of the consulting firm presented the Land Use-Development Plan/EIR and described the process by which the ultimate plan was conceived to provide a very positive, highest quality regional shoreline at this site.

At Director Cogswell's request, Mr. Girvin reviewed the drainage plan. Mr. Crutcher also explained the opportunity the site offers for large recreation areas to accommodate 1000 people or more, and that part of the program is to provide this space. Mr. Crutcher said the consultant's had done a very fine job in meeting that particular requirement. To questioning by Director Costa, Mr. Girvin said that 134 acres has been classified in the plan as recreation cluster area, with about 34 acres in the environmental area and the remaining retained in marshes. Mr. Crutcher also commented that 70% of the site will be in useable turf and meadows and irrigation is proposed to use reclaimed water.

Director Jardin gave recognition to Audry Albers and J. G. Sanders of the Mulford Gardens Improvement Association for their work on the citizens committee, stating they had put up some pretty good battles against some proposals, but had always envisioned a park at the site. Mr. Jardin said he was proud of their interest in the project and the help which they gave.

Audry Albers commented that her participation on the citizens committee was an exciting experience and that the community is pleased to see the situation develop where a dump is going to become a park. Mrs. Albers thanked the Board for the opportunity of a citizens committee to participate in the planning, although stating that she could in no way relate to the Board the disappointment of the people in Mulford Gardens over the height that the garbage site is going to take from its present 30 feet to 82 feet to meet the standards and criteria of the Water Quality Control Board.

Mrs. Albers asked about the access to the park, and stated that Neptune Drive is a very narrow street and the City of San Leandro has no plans to widen the street at this time, which would make it extremely difficult to get the amount of traffic that is anticipated down that street for access to the park. Davis Street, she said, would seem to be a much better access route from the regional and the outlying areas rather than from San Leandro directly into the park.

General Manager Trudeau responded that this was one decision that need not be made at this time, as it will take some time to complete the land fill, with a good deal of effort following that. Time is the difference between a first class park on a sanitation fill site and a poor one, Mr. Trudeau said, and the access route will be resolved by the time development takes place.

Mrs. Albers said if some early access were allowed to portions of the park, it would be better for the entire region, and this is something they were hoping for. Mr. Crutcher stated that he hears the message loud and clear, but cautioned that the problems in southern California on similar sites resulted from opening such areas prematurely to public use. There will be several opportunities, Mr. Crutcher said, once the garbage dumping ceases and covered, for a scenic and natural area and that there is a peripheral bike path that could be used while the finishing work and plantings are taking place.

However, Director Jardin commented that no public use could be anticipated until after 1978 and that active use will not be possible until later. Mrs. Albers, in addition to thanking the Board, also thanked Oakland Scavenger Company for working closely with the committee to see that they can come up with a good park. Mr. Sanders also commented that he has been looking forward to this park for the last 25 years and hoped that he would be able to enjoy it before he was too old to do so, and that he, too, was hoping for an early opening.

President Leavitt asked why no access to the water was proposed and if it would be appropriate to provide some sort of access. Mr. Crutcher said there is a stone riprap edge around the park, with oyster beds in one area, but that there is considerable wind and no beaches or places where water contact is easy to come by except along the marsh which the District wants to protect. Mr. Girvin also responded that there was total water access from a pedestrian standpoint, as no barriers are planned for the public not to use the rock riprap for fishing from the shore and that the public can get down to the water's edge without too much difficulty.

Director Jardin also commented that sandy beaches will be available at the San Leandro Marina and although it is a city facility, it will get regional use. The Oyster Bay shoreline will complement the city operation, Mr. Jardin said. General Manager Trudeau also commented that trail connections all along the shore are feasible.

Responding to questions by Director Cogswell, Mr. Girvin predicted ultimate restoration and rehabilitation of a marsh in the embayment, after 1980 when the super sewer goes in and they stop dumping the discharge in the area. At present, he said, the area is sterile because of the things that have been done in the past.

General Manager Trudeau stated that the project had its beginning with a call from the City of San Leandro and that there has been excellent cooperation from the city officials and staff. Mr. Trudeau said it takes a lot of people working together in a program such as this and credited Oakland Scavenger Company for their willingness to give up the land. Mr. Trudeau stated that the negotiations with Oakland Scavenger have gone on extremely well. Representatives from Oakland Scavenger Company present at the meeting included its President Pete Borghero, Ron Proto, the project manager, and Jack Corley, their inhouse attorney. Mr. Corley stated that discussions are taking place, particularly in regard to park development and what will be necessary in closing the dump to satisfy the Regional Water Quality Control Board. Mr. Corley said he hoped that there was flexibility on the part of all parties so that existing problems can be resolved. Closing a land fill, he said, is not an exact science, that there have been very few closed, and only now is broad minimum criteria being established.

Public Works Directors Richard Ord (for the City of San Leandro) advised that the city is in the process of acquiring the right of way for Neptune Drive extension by eminent domain on which the final decision will be made on July 5, based upon input from staff, the public and the District's interest in the extension of Neptune Drive. There is some public opposition against this, Mr. Ord said, and suggested that if the District has any particular interest in Neptune Drive to provide access to the park, it would be worthwhile for the District to say so now.

Mr. Ord also stated that he was going to differ from the District staff of the need for more than two feet of cover to close the dump, speaking only of dump closing requirements, not for building a park. The park which the City of San Leandro has developed has worked very satisfactorily with two feet of fill, Mr. Ord said, and will pursue that course with the Regional Board. The City, Mr. Ord said, will be forced to comply with whatever the Control Board determines what is necessary for the fill. Anything more than two feet, the city is required to pay, he said.

Director Cogswell said that the Hayward Shoreline Committee has recommended that there should be standards for closing of solid waste sites, but that those standards should not be so inflexible that they could not be adjusted to the needs of the individual site. Director Cogswell suggested that there has to be some flexibility on the fill cover on this site as well. Mr. Trudeau stated that the decision on this is still yet to come and that variation will be allowed. Mr. Trudeau also stated that any cost for additional fill will come strictly from the District taxpayers, as there is no way that it can be covered by a federal or state grant at the present time. Therefore, this is something that will have to be studied very carefully before any final agreement is reached, Mr. Trudeau said.

Except for the park, the entire area is zoned for heavy industry, it was noted. Director Jardin also advised that groups would be encouraged to use Davis Street for entering into the park, and that local residents could come down Marina or Williams.

3.

OPERATIONS

a. Presentation by Manfred Lindner.

Manfred Lindner, a resident of Danville, had requested permission to make a presentation

regarding fire road grading practices at Morgan Territory Regional Preserve. Mr. Lindner in his opening comments, stated he first appeared before the Board in June of 1974 in behalf of establishment of a regional park at the headwaters of Marsh Creek in Morgan Territory. This has since come to pass, he said, and when that park is established, time will show that no Board of the District made a wiser choice or bought a more beautiful piece of land.

This time, Mr. Lindner said, he also wanted to talk about Morgan Territory, but on a bit more painful subject. Quoting from a letter sent to the Board a year ago by Susan Watson "that some members of the Park District staff regraded the existing ranch roads in Morgan Territory in a most appalling manner", Mr. Lindner said, that sums it up and says it all, as they have done it again.

Mr. Lindner said that shortly after the Watson letter he made a presentation to the Park Advisory Committee and to the Trails Subcommittee of PAC and showed slides of what had happened at Morgan Territory. PAC subsequently hammered out some revisions to the Trails Manual, which was ultimately adopted and approved by the Board in October, and everyone was relieved that what happened last year at Morgan Territory wouldn't happen again.

Unfortunately, Mr. Lindner said, it did recur in April or early May of this year on the new Cardoza addition. Before showing color slides of the area, Mr. Lindner projected pages from the Trails Manual of certain requirements to be followed for construction of hiking, riding trails and fire roads. Mr. Lindner then proceeded to show slides of what had taken place last year and then slides of what took place this spring. Mr. Lindner said the slides demonstrated some of the things the District should not be doing and questioned the necessity of scraping where vehicles can traverse without a fire road at all, as much of the land is flat and open enough.

Harry Reeves, staff representative from the Land Department, stated that they were appreciative of having the public voice their concerns and that if there are misunderstandings staff can certainly deal with them. Mr. Reeves said staff did not take offense by the comments made and would rather see these things come to light. Mr. Reeves then explained the procedure regarding construction of trails and fire roads which involve the Superintendent of Park Maintenance Tom Lynch, Fire Chief Rich Aronson, the Zone Manager, and the Park Supervisor, so that the decisions are not made by one person alone.

Director Kessel suggested that this would not have happened again if the equipment operator had been supervised and that someone should balance the environmental and fire protection concerns. Director Badger also commented that the slides clearly demonstrated some of the things the District should not be doing. Director Cogswell also asked if Mr. Lindner had any suggestions for a technique for use in the future. Mr. Lindner said the prescription is the Trails Manual, that it was designed for that purpose, and spells it out clearly.

Mr. Reeves stated that the work was not unsupervised and it was not reckless, and that some of the areas which were cleared had been neglected for a number of years. There are areas, he said, where even now they did not get the drainage that is desirable. Fire Chief Rich Aronson explained the purpose of the fire trails; first to allow fire truck access into the area over a serviceable road, secondly, as a fire break, and thirdly, to have a defined trail. Mr. Aronson cited the specific reasons for these needs and said the trails in the Morgan Territory had to be widened to meet the fire protection requirements for public use versus private use. Local fire districts have the prime responsibility, Mr. Aronson said, so the work has to be done in a manner that is acceptable to them.

Zone Manager Walter Knight explained the process which is proposed to be used in the

this area in the future of a concept of a drag made by railroad iron. This consists of three pieces of railroad iron 10 to 12 feet wide connected with a chain which is dragged behind a four wheel drive pickup early in the year, it was explained. Hopefully, Mr. Knight said this would resolve the issue. Director Cogswell recalled that this same process was used in rural Pennsylvania where he grew up as a boy, except that the contraption was pulled by horses. It was hoped that this would work, Chief Aronson said, and assured the Board that they do plan to go back and clean up the berm and some of the work.

Mr. Knight stated that any grading done in the area he would like to have done with the District's own inhouse equipment operator and would like to ride on the grader with him to make sure that it looks the way it is expected to look when it is all finished. There has to be that close supervision, Mr. Knight said. Mr. Knight concluded with the statement that he hoped Mr. Lindner could come back for a new set of pictures next year to show how the corrective measures were taken and how beautiful the area will once again be.

President Leavitt thanked Mr. Lindner for monitoring the area and the steps that staff is taking to prevent this from happening again.

4. LAND ACQUISITION

- a. Acceptance of Acquisition Evaluation Report and authorization to acquire the property of V. P. Baker, et al, and Allied Properties on Browns Island for \$135,000 - 595 acres (\$226.75 per acre).

By the motion of Director Jefferds, seconded by Director Costa, Resolution No. 1977-6-182 was adopted by unanimous vote accepting the Acquisition Evaluation Report prepared by staff on the Browns Island acquisition. A copy of said resolution is attached for reference.

Also by the motion of Director Jefferds, seconded by Director Costa, the Board authorized purchase of the 595 acres at a price price of \$135,000, or \$226.75 per acre. Resolution No. 1977-6-183, which was adopted by unanimous vote, covers the Board action. A copy of said resolution is attached for reference and includes an additional allocation of \$5,000 above the purchase price for closing costs and other expenses to complete the acquisition.

Chief of Acquisition Hulet Hornbeck described the island located off the city of Pittsburg, immediately north of New York slough. Two parcels, Mr. Hornbeck said, on the island are owned by the Port of Stockton, which were acquired as a possible point of dredging in the event the deep water channel to Stockton went through. However, this site is not now considered one of the areas for fill disposal, Mr. Hornbeck said, and this area has been proposed for its natural environment as a critical part of the Delta.

Mr. Hornbeck said the land would be held in a land bank, pending future considerations by the Board and other agencies, including the State Lands Commission, the State Department of Fish and Game and the City of Pittsburg. Dave Cowan of the State Lands Commission stated that the State Lands Commission wholeheartedly supported the acquisition by the District, and reported on several title transaction settlements still pending which could be completed except for the lack of suitable land at a price that could be justified. Mr. Cowan explained the complicated settlement procedure.

To questioning by Director Cogswell, Mr. Cowan explained that the District would acquire the land, give to the State on the land exchanges that come up and acting as a holding company, and then lease back to the District. Hopefully, Mr. Cowan said, the entire

island could be acquired in this manner and leased back to the District. Part of the agreement would be that the District will be assured that it will end up with the property, Mr. Cowan said, to questioning by Counsel Black.

Director Jardin urged that the concerns of the City of Pittsburg be followed up. General Manager Trudeau said that in conversations with the City Manager of Pittsburg, Anthony Donato, they have no objection to the District's acquiring the island. Director Jefferds suggested that this be confirmed by letter by the City of Pittsburg. Director Cogswell also commented that this was the last bit of natural marsh of its size in the District.

E. ADDENDA TO AGENDA

None.

F. COMMUNICATIONS

General Manager Trudeau acknowledged a number of letters which had been referred to staff for response. On a letter from the Hayward Area Recreation and Park District, dated June 14, 1977, suggesting that a portion of the Hayward area trail already developed be named the Wallace Wickander Memorial Trail, Mr. Trudeau said this has been referred to the PAC for consideration. As soon as their response is received, the matter will be presented to the Board, Mr. Trudeau said.

G. COMMENTS: GENERAL MANAGER, BOARD, PUBLIC

General Manager Trudeau reminded the Directors of forthcoming conferences, the conclusion of the fishing derby at Lake Chabot on Sunday, June 26, and the public hearing on the Resource Analysis for Black Diamond Mines at the Los Medanos Community College in Pittsburg on Thursday June 23.

Director Jefferds recommended that the Board support SB 308 which was introduced by Senator Nejedly relating to the protection of native plants. Director Badger made the motion to adopt a resolution to that effect. This was seconded by Director Kessel. Accordingly, Resolution No. 1977-6-184 was adopted by unanimous vote for transmittal to Senator Nejedly and other legislators. A copy of said resolution is attached for reference.

After discussion, it was decided that the next Board meeting would also be an evening meeting to be held in the Auditorium of the Alameda County Public Works Building, 399 Elmhurst Street, Hayward, preceded by another Executive Session on land acquisition with Attorney Jack Rogers.

H. ADJOURNMENT

Before the meeting adjourned, Ms. Pat Ferrell, head of Parks and Recreation at Penn State, complimented the District on its regional park system and its management, and for the courtesies extended during her visit here.

As there was no further business to come before the Board, the meeting adjourned at 11:20 p.m.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-167

June 21, 1977

AUTHORIZATION TO AMEND CONTRA COSTA CANAL TRAIL MANAGEMENT AGREEMENT

WHEREAS, pursuant to Resolution No. 4651, adopted August 6, 1974, the East Bay Regional Park District entered into a 25-year Management Agreement with the Contra Costa County Water District and the United States Department of the Interior, Bureau of Reclamation for the development, administration, operation, and maintenance of a regional trail on the Contra Costa Canal; and

WHEREAS, such Management Agreement has been amended by letters dated March 31, 1975, and February 3, 1977; and

WHEREAS, it is in the District's best interests to again amend said Agreement as specified in the letter agreement presented to the Board this date;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are herein authorized to execute and deliver, on behalf of the District, that certain letter agreement dated June 21, 1977, among the United States Department of Interior, Bureau of Reclamation, the Contra Costa County Water District, and the East Bay Regional Park District, amending the Management Agreement among said parties with respect to the Contra Costa Canal, in the form presented to the Board this date.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-168

June 21, 1977

AWARD OF CONTRACT AFTER BIDDING - FENCING FOR TRAIL ALONG THE CONTRA COSTA CANAL
AT CONTRA LOMA REGIONAL PARK

WHEREAS, bidding on the project known as Fencing for the Trail along the Contra Costa Canal at Contra Loma Regional Park, was duly authorized by the Board; and

WHEREAS, the call for bids was published in the Oakland Tribune, the Contra Costa Times, the Hayward Daily Review and the Daily Pacific Builder on June 7, 1977; and

WHEREAS, five timely bids were received and opened on June 17, 1977, as set forth in the following summary of bids:

<u>Bidder</u>	<u>Bid</u>
Silva Fence Company, Santa Clara	\$11,979.00
Chrisp Company, Fremont	12,940.56
Oakland Fence Company, Hayward	13,557.00
San Jose Fence Company, Oakland	13,650.00
Thompson & Thompson, Burlingame	14,859.00

; and

WHEREAS, the staff estimate for this project was \$18,028 and \$20,000 has been appropriated in the FY 1977/78 Budget (Account No. 34-09) for this project; and

WHEREAS, staff has recommended acceptance of the low bid; and

WHEREAS, the lowest responsible bid is \$11,979.00, by the Silva Fence Company, Santa Clara, California;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bid by District Counsel, the President, Secretary, and General Manager are each hereby directed to take all appropriate action to award a contract to such low bidder in accordance with this resolution and the call for bids in the amount of the low bid; and

BE IT FURTHER RESOLVED that the total sum of \$13,180.00, which includes \$1,200.00 contingency allowance, is hereby allocated from Project Account No. 34-09 for this project.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-169

June 21, 1977

ACCEPTANCE OF ACQUISITION EVALUATION REPORT ON 25.37 ACRES OF
LONE STAR INDUSTRIES, ET AL., PROPERTY FOR ADDITION TO
ALAMEDA CREEK QUARRIES REGIONAL RECREATION AREA

WHEREAS, the East Bay Regional Park District is considering acquisition by purchase of 25.37 acres, more or less, of Lone Star Industries, et al., property for addition to Alameda Creek Quarries Regional Recreation Area; and

WHEREAS, Staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation Report covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation Report presented to and considered by the Board this date, covering 25.37 acres, more or less, of Lone Star Industries, et al., property for addition to Alameda Creek Quarries Regional Recreation Area, is hereby accepted for filing, and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-170

June 21, 1977

AUTHORIZATION TO PURCHASE LONE STAR INDUSTRIES, ET AL., PROPERTY
AT ALAMEDA CREEK QUARRIES REGIONAL RECREATION AREA

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed, all in accordance with the District's Master Plan; and

WHEREAS, by Resolution No. 1977-6-169, adopted June 21, 1977, this Board accepted an Acquisition Evaluation Report on the 25.37 acres, more or less, of Lone Star Industries, et al., property for addition to Alameda Creek Quarries Regional Recreation Area; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to exercise the District's option to purchase under that certain Option to Purchase Real Property between the District and Lone Star Industries, Inc., the Flintkote Co., and Ideal Basic Industries, Inc., dated May 17, 1977; the President and Secretary are authorized to accept a Grant Deed or Deeds to the property described as Assessor Parcels 507-30-12-12 and 507-30-12-15, and more particularly described in Western Title Insurance Company's preliminary title report No. 813021, dated May 3, 1976; the President, the Secretary, and General Manager are further authorized to do such acts as are required to complete the acquisition of said property; and the General Manager is directed to record the Deed or Deeds in the Official Records of Alameda County; and

BE IT FURTHER RESOLVED that while the subject real property is under the District's ownership, said property will only be used for parks, recreation, and open space purposes; and

BE IT FURTHER RESOLVED that the sum of \$218,000.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-63 to pay the purchase price of \$215,645.00, title and escrow fees, and other expenses necessary to complete the acquisition.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-171

June 21, 1977

ACCEPTANCE OF ACQUISITION EVALUATION REPORT ON 670.4 ACRES OF LOUGHER PROPERTY
FOR ADDITION TO BLACK DIAMOND MINES REGIONAL PRESERVE

WHEREAS, the East Bay Regional Park District is considering acquisition by purchase of 670.4 acres, more or less, of Lougher property for addition to Black Diamond Mines Regional Preserve; and

WHEREAS, Staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation Report covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation Report presented to and considered by the Board this date, covering 670.4 acres, more or less, of Lougher property for addition to Black Diamond Mines Regional Preserve, is hereby accepted for filing, and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Director Paul J. Badger.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-172

June 21, 1977

AUTHORIZATION TO PURCHASE LOUGHER PROPERTY AT BLACK DIAMOND
MINES REGIONAL PRESERVE

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed, all in accordance with the District's Master Plan; and

WHEREAS, by Resolution No. 1977-6-171, adopted June 21, 1977, this Board accepted an Acquisition Evaluation Report on the 670.4 acres, more or less, of Lougher property for addition to Black Diamond Mines Regional Preserve; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The President and Secretary are hereby authorized to exercise the District's option to purchase under those seven Options to Purchase Real Property between the District and Alice James, E. J. Lougher and Norma Lougher, Frankye Lougher, Gregory Lougher, Florence Noia, Andrew Olsson, and Robert Sturdivant as presented to the Board this date, subject, however, to District compliance with Government Code Section 65402;
2. The President and Secretary are authorized to accept Grant Deeds and quit-claim deeds and such other title documents as are required by the title company to the property described as Assessor Parcels 075-090-005, 075-090-007, 075-060-011, 075-060-012, 075-051-006, 075-051-008, 075-052-002, 075-101-002, and 075-102-001, and more particularly described in Transamerica Title Insurance Company's preliminary title report No. 06-07-348038, dated June 1, 1977;
3. The President, Secretary, and General Manager are authorized to do such acts as are required to complete the acquisition of said property;
4. The General Manager is directed to cause the deeds to be recorded in the Official Records of Contra Costa County;
5. The sum of \$306,680.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-65 to pay the purchase price of \$301,680.00, title and escrow fees, and other expenses necessary to complete the acquisition.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Director Paul J. Badger.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-173

June 21, 1977

RENEWAL AND MODIFICATION OF CONCESSION AGREEMENT FOR MINIATURE TRAIN CONCESSION
(Redwood Valley Railway Company)

WHEREAS, the Concession Agreement with Erich Thomsen for the miniature train concession known as the Redwood Valley Railway Company in Tilden Regional Park terminated on May 31, 1977; and

WHEREAS, District staff and Mr. Thomsen desire to renew and modify said agreement as set forth below; and

WHEREAS, the District has been most satisfied with the Concessionaire's operation of the concession, approves of the early completion of the Master Plan for this area, and recognizes the impact of inflation upon the Concessionaire's costs;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby directed to execute on behalf of the District and deliver a Renewal and Modification Agreement of the Concession Agreement with Erich Thomsen for the Miniature Train Concession in Tilden Regional Park, to provide for a term of five years, commencing June 1, 1977, and ending May 31, 1982, and a reduction of the present fee of 10% of gross income to 5% of the first \$30,000 and 10% above \$30,000, subject to approval as to form of such agreement by District Counsel.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-174

June 21, 1977

APPROVAL OF POSITION DESCRIPTION FOR MANAGER, CRAFTS MAINTENANCE, AND
RECLASSIFICATION OF CHARLES TRONOFF

WHEREAS, staff has demonstrated the need to establish the position of Manager, Crafts Maintenance; and

WHEREAS, Charles Tronoff is currently performing the duties of the revised position;

NOW, THEREFORE, BE IT RESOLVED that the following position description for Manager, Crafts Maintenance, is hereby adopted:

MANAGER, CRAFTS MAINTENANCE

Reports to:

Superintendent of Maintenance, Planning and Design Department

SUPERVISES:

Crafts Maintenance Supervisor, Electricians, Plumbers, Carpenters, Painters, and Sign-maker.

GENERAL FUNCTION:

The MANAGER, CRAFTS MAINTENANCE will plan, direct and control all District maintenance activities requiring craft personnel. This individual will schedule regular maintenance and assign craft personnel for special/emergency maintenance work requests.

PRINCIPAL DUTIES and
RESPONSIBILITIES:

1. Analyze maintenance records data to identify maintenance needs and trends, and which would also be indicative of park operating needs throughout the District.
2. Recommend major facility modifications or replacement based on maintenance records.
3. Establish schedules for preventive maintenance by facility and by craft; assign individuals or crews to carry out the scheduled work.
4. Estimate time, material and equipment requirements for preventive maintenance, scheduled work requests, and special/emergency maintenance work requests.
5. Develop and document work schedules and assignments for the craft maintenance function.
6. Prepare an annual budget for craft maintenance equipment, materials and staff costs, as well as for approved project costs; submit budget to Superintendent of Maintenance for approval.
7. Maintain appropriate work procedures, quality standards, and records of work performed.
8. Within policy limits, establish priorities for responding to special/emergency work requests.
9. Participate in the development of maintenance standards.
10. Coordinate with the Central Stores Supervisor to ensure availability of materials and equipment for maintenance work.
11. Review incoming work requests; develop daily craft maintenance schedules which assign work to appropriate individuals or crews, and which minimize wasted travel; assign lead responsibility as necessary.
12. Supervise the sign construction and placement program to ensure compliance with specifications from Planning and Design Department; recommend alterations to the program as appropriate; supervise sign maintenance.
13. Periodically inspect District facilities to ensure attainment of established craft maintenance level standards.
14. Coordinate with Park Supervisors to obtain feedback on adequacy of preventive maintenance and special maintenance performed.
15. Periodically inspect the progress of maintenance projects to ensure attainment of established objectives.
16. Monitor performance relative to plans, objectives, schedules and budgets.
17. Conduct periodic safety meetings to communicate safety procedures and policies to all personnel.
18. Assure that all District facilities comply with Safety and Building codes.

ADMINISTRATIVE
RESPONSIBILITIES:

Follows District policy in selection of subordinates,
provides guidance as necessary:

- (a) ensure that all subordinate positions are thoroughly and clearly defined, and that incumbents are qualified and know what is expected of them;
- (b) plan and direct the development of subordinates in their respective areas of technical competence;
- (c) periodically conduct performance evaluations which are objective and complete;
- (d) through periodic meetings, memoranda and other means, ensure the timely dissemination of information which is relevant to an employee's individual job responsibilities, or to answer questions and obtain information on a day-to-day basis for subordinate employees.

MINIMUM QUALIFICATIONS:

Education: 500 hours or more of training above the high school level which is made up of any combination of courses generally regarded as pre-architectural or pre-engineering or involving building codes, estimating, inspecting, maintenance, preventive maintenance, report writing, safety codes, shop management or supervision.

Experience: Six years in the field of Grounds and Building Maintenance, Park Maintenance or Physical Plant Maintenance, two of which must have been in a responsible first line supervisory position.

A currently effective and valid driver's license is a condition of initial and continued employment in this classification.

<u>SALARY:</u>	<u>a</u>	<u>b</u>	<u>c</u>	<u>d</u>	<u>e</u>
RANGE 5	\$19,417	\$20,321	\$21,272	\$22,270	\$23,316; and

BE IT FURTHER RESOLVED, the classification, Manager, Crafts Maintenance, is a Management position, and employees so classified shall not be within any collective bargaining unit as described in any labor agreement to which the District is a party; and

BE IT FURTHER RESOLVED that Charles Tronoff is reclassified as Manager, Crafts Maintenance, to begin at Step b, \$20,321, of Range 5.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-175

June 21, 1977

APPROVAL OF REVISED POSITION DESCRIPTION FOR CRAFTS MAINTENANCE SUPERVISOR

WHEREAS, staff has demonstrated the need to revise the position description of Crafts Maintenance Supervisor;

NOW, THEREFORE, BE IT RESOLVED that the following revised position description for Crafts Maintenance Supervisor is hereby adopted:

CRAFTS MAINTENANCE SUPERVISOR

Reports to: Manager, Crafts Maintenance

SUPERVISES: Electricians, Plumbers, Carpenters, Painters, and Sign Makers.

GENERAL FUNCTION: Under direction, to supervise the repair and maintenance work involved in the upkeep and repair of structures and appurtenances in the District and minor construction projects; and to do other work as required.

PRINCIPAL DUTIES and RESPONSIBILITIES:

Organizes, directs and supervises the maintenance of all structures, buildings, and appurtenances in the East Bay Regional Park District.
Installs sprinkling systems, drainage and sewer systems.
Recommends and supervises a preventive maintenance program for buildings and structures.
Reviews plans and specifications, generates cost estimates and makes recommendations.
Supervises safety programs for the Maintenance Division.
Maintains records and reports, including budget and time-cost reports.
Consults with trade manager on tool and equipment needs and priority of projects.
Interprets plans and specifications and orders materials.
Supervises the District Sign Shop.

MINIMUM QUALIFICATIONS:

Education: Equivalent to completion of the twelfth grade, and

Experience: Four years of broad experience in the maintenance and construction industry, two years of which must have been in a responsible level of supervision, and

KNOWLEDGE, SKILLS and ABILITIES:

Knowledge of the maintenance and construction industry, including the fields of both rough and finished carpentry, electrical, plumbing, painting, and sign-making with journeyman-level experience in at least two of the trades. Knowledge of materials used in the maintenance and construction industry, including their proper and safe use. Knowledge of building codes. Ability to organize work, order materials adhere to a budget and direct the efforts of individuals and crews of employees toward the efficient and successful construction of buildings and structures. Ability to maintain harmonious working relations with fellow employees and the public.

A currently effective and valid driver's license is a condition of initial and continued employment in this classification.

<u>SALARY:</u>	<u>Start</u>	<u>6 Months</u>	<u>1 Year</u>	<u>2 Years</u>	<u>3 Years</u>
Range XIX	\$1487	\$1532	\$1577	\$1626	\$1671

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-176

June 21, 1977

APPROVAL OF POSITION DESCRIPTION FOR GRANTS COORDINATOR

WHEREAS, staff has demonstrated the need to establish the classification of Grants Coordinator;

NOW, THEREFORE, BE IT RESOLVED that the following position description for Grants Coordinator is hereby adopted:

GRANTS COORDINATOR

Reports to: Department Head - Development.

GENERAL FUNCTION: Under general supervision of Department Head, the Grants Coordinator coordinates the administration of projects funded by sources outside the District.

PRINCIPAL DUTIES and RESPONSIBILITIES: Analyzes rules and regulations of grant programs, maintains information in easily accessible manner, and communicates information to departments involved. Establishes checklists and timetables to meet deadlines; maintains necessary records on programs; serves as liaison between federal and state project officers and District personnel. Assists in preparation of reports to funding sources, and information for staff and the Board of Directors.

MINIMUM QUALIFICATIONS:

Education: Bachelor's degree from an accredited college or university with major work in administration or other appropriate field; and

Experience: One year of experience with duties and responsibilities that have provided beginning level administrative skills.

Additional related experience may be substituted on a two years for one year basis for up to two years of the required college education.

KNOWLEDGE, SKILLS and ABILITIES:

Skill in maintaining accurate up-to-date information. Skill in communicating effectively with others. Ability to interpret rules and regulations. Ability to organize information and write reports. Ability to handle detailed work.

A currently effective and valid driver's license is a condition of initial and continued employment in this classification.

<u>SALARY:</u>	<u>Start</u>	<u>6 Months</u>	<u>1 Year</u>	<u>2 Years</u>	<u>3 Years</u>
Range XIII	\$1240	\$1276	\$1313	\$1352	\$1390

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 21st day of June, 1977, by the following vote:

FOR: Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.

AGAINST: Directors none.

ABSENT: Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-177

June 21, 1977

APPROVAL OF POSITION DESCRIPTION FOR ELECTRICIAN'S HELPER

WHEREAS, staff has demonstrated the need to establish the classification of Electrician's Helper;

NOW, THEREFORE, BE IT RESOLVED that the following position description for Electrician's Helper is hereby adopted:

ELECTRICIAN'S HELPER

<u>Reports to:</u>	Maintenance Supervisor											
<u>GENERAL FUNCTION:</u>	Under direction, performs semi-skilled electrical work; and does other work as required.											
<u>PRINCIPAL DUTIES and RESPONSIBILITIES:</u>	<p>Assists in maintaining, repairing, and installing electric transmission lines, lights, motors, heaters, generators, transformers, switchboards, and other electrical apparatus.</p> <p>Does minor installations or repair work.</p> <p>Reads and interprets simple blueprints and specifications.</p> <p>Requisitions material and supplies.</p> <p>Operates and cares for hand and power tools essential to the performance of duties.</p>											
<u>MINIMUM QUALIFICATIONS:</u>												
Education:	Equivalent to completion of the twelfth grade, <u>and</u>											
Experience:	Two years experience in a semi-skilled capacity in the electrical field.											
<u>KNOWLEDGE, SKILLS and ABILITIES:</u>	<p>Knowledge and ability equivalent to apprentice electricians; ability to read simple blueprints and to order materials from plans.</p> <p>Ability to operate mechanical equipment such as power drills, pipe threaders, and to maintain harmonious working relations with fellow employees.</p> <p>A currently effective and valid driver's license is a condition of initial and continued employment in this classification.</p>											
<u>SALARY:</u>	<table><tr><td><u>Start</u></td><td><u>6 Months</u></td><td><u>1 Year</u></td><td><u>2 Years</u></td><td><u>3 Years</u></td></tr><tr><td>Range XI</td><td>\$1125</td><td>\$1161</td><td>\$1196</td><td>\$1234</td><td>\$1270</td></tr></table>	<u>Start</u>	<u>6 Months</u>	<u>1 Year</u>	<u>2 Years</u>	<u>3 Years</u>	Range XI	\$1125	\$1161	\$1196	\$1234	\$1270
<u>Start</u>	<u>6 Months</u>	<u>1 Year</u>	<u>2 Years</u>	<u>3 Years</u>								
Range XI	\$1125	\$1161	\$1196	\$1234	\$1270							

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-178

June 21, 1977

ADOPTION OF ADDITIONAL BENEFITS FOR CONFIDENTIAL EMPLOYEES

WHEREAS, staff has demonstrated the need to revise the benefits of Confidential Employees to more closely correspond to the Management Benefits; and

WHEREAS, the Board Finance Committee has unanimously supported the recommendation of staff;

NOW, THEREFORE, BE IT RESOLVED that the following benefits will be added to the benefit structure for Confidential Employees, effective June 21, 1977 or as soon thereafter as permitted by the terms of any group policy or other benefit contract:

1. Life Insurance @ 2 times annual salary (currently 1 times annual salary).
2. Medical and Dental plans to require no waiting period.
3. Provide disability insurance coverage similar to current management system.
4. Accidental Death and Dismemberment (AD&D) coverage.
5. Sick leave payment up to 1/3 of accrual (limit of 45 days) on retirement or voluntary termination after ten (10) years' service.
6. Family medical coverage for retirees.

Moved by Director Walter H. Costa, seconded by Director Howard L. Cogswell, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Howard L. Cogswell, Walter H. Costa William F. Jardin, and Harlan R. Kessel.
AGAINST:	Directors Paul J. Badger, Mary Lee Jefferds, and John J. Leavitt.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-179

June 21, 1977

ADOPTION OF REINSTATEMENT POLICY - PUBLIC SAFETY DEPARTMENT

WHEREAS, staff has demonstrated the advantages of establishing a reinstatement policy for classifications covered by the Public Safety Department Memorandum of Understanding; and

WHEREAS, such policies have proven advantageous for other agencies;

NOW, THEREFORE, BE IT RESOLVED that the following Reinstatement Policy is adopted:

REINSTATEMENT - PUBLIC SAFETY DEPARTMENT

At the request of the Chief of Public Safety and approval of the General Manager, a permanent employee, in a classification covered by the Police Association Memorandum of Understanding, who resigned in good standing (eligible for rehire) may, within eighteen months after the effective date of resignation, be reinstated in a position in the classification from which he resigned or a lower position in the classification series.

Reinstatement shall be subject to the following requirements:

1. Sworn Officer:
 - a. Background check.
 - b. Psychological evaluations.
 - c. Physical examination.
 - d. Polygraph examination.
 - e. 12-month probation period.
 - f. Salary step no higher than the step at the time of resignation.
 - g. Most have POST Basic Certificate.
2. Dispatch:
 - a. Background check.
 - b. Physical examination.
 - c. Polygraph examination.
 - d. 12-month probation period.
 - e. Salary step no higher than the step at the time of resignation.

Reinstatement is to a definite budgeted position, not to a list or pool. In all regards, except those described above under reinstatement requirements, a reinstated employee shall be considered a new employee and subject to all terms and conditions of the Memorandum of Understanding and the Administrative Manual as if they were a new employee.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-180

June 21, 1977

APPROVAL OF DEMANDS - June 21, 1977

BE IT RESOLVED that the items set forth and as presented in the Demand Register for the period ending June 21, 1977, totaling \$900,851.97, are hereby approved and authorized for payment.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-181

June 21, 1977

CERTIFICATION OF COMPLETION OF FINAL EIR FOR PROJECT KNOWN AS LAND-USE
DEVELOPMENT PLAN AT OYSTER BAY REGIONAL SHORELINE: DETERMINATION TO PROCEED

WHEREAS, under the direction of Lewis P. Crutcher, Chief of Planning and Design, staff has prepared a Final EIR for the Project known as Land Use-Development Plan at Oyster Bay Regional Shoreline; and

WHEREAS, staff has presented and the Board has reviewed and considered the Final EIR this date; and

WHEREAS, a Draft EIR was prepared for the Project, and a Notice of Completion was filed with the Secretary for Resources; and

WHEREAS, staff has, in compliance with its CEQA Guidelines, consulted with the responsible agencies and has circulated the Draft EIR to the jurisdictions, clearinghouses, groups, organizations, individuals and libraries shown in the Final EIR on December 29, 1976; and

WHEREAS, following public notice on December 29, 1976, a public hearing on the Draft EIR was held on January 25, 1977 at City of San Leandro Council Chambers; and

WHEREAS, all comments and recommendations received on the Draft EIR, and the District's response to significant environmental points raised thereby have been incorporated into the Final EIR and considered by this Board;

NOW, THEREFORE, BE IT RESOLVED that this Board certifies that this Final EIR has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) and with the State and Park District Guidelines which implement CEQA; and

BE IT FURTHER RESOLVED that this Board finds that the Project will not have a significant adverse effect on the environment, but, in fact, will have a substantial beneficial impact on the environment; and

BE IT FURTHER RESOLVED that the Project is hereby approved and the General Manager is directed to proceed with negotiation of appropriate agreements for the Project for consideration by this Board at an early date; and

BE IT FURTHER RESOLVED that the Environmental Coordinator is hereby directed to promptly file a Notice of Determination for the Project in the Office of the County Clerk of Alameda County, and with the Secretary for Resources, if appropriate.

Moved by Director William F. Jardin, seconded by Director Paul J. Badger, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-182

June 21, 1977

ACCEPTANCE OF ACQUISITION EVALUATION REPORT ON 595 ACRES OF V. P. BAKER,
ET AL., PROPERTY AT BROWNS ISLAND

WHEREAS, the East Bay Regional Park District is considering acquisition by purchase of 595 acres, more or less, of V. P. Baker, et al., property at Browns Island; and

WHEREAS, staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation Report covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation Report presented to and considered by the Board this date, covering 595 acres, more or less, of V. P. Baker, et al., property at Browns Island, is hereby accepted for filing and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan.

Moved by Director Mary Lee Jefferds, seconded by Director Walter H. Costa, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-183

June 21, 1977

AUTHORIZATION TO PURCHASE V. P. BAKER, ET AL., PROPERTY AT BROWNS ISLAND

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed, all in accordance with the District's Master Plan; and

WHEREAS, by Resolution No. 1977-6-182, adopted June 21, 1977, this Board accepted an Acquisition Evaluation Report on the 595 acres, more or less, of V. P. Baker, et al., property at Browns Island; and

WHEREAS, an amendment to the Option Agreement with V. P. Baker, et al., is necessary to condition the purchase on District compliance with Government Code Section 65402; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the President and Secretary are hereby authorized to exercise the District's option to purchase under that certain Option to Purchase Real Property between the District and V. P. Baker, Karl B. Rodi, A. J. West, and Allied Properties, dated May 23, 1977, by executing and delivering that certain Exercise of Option and Amendment prepared by District Counsel (conditioning the District's obligation to purchase on compliance with Government Code Section 65402);
2. The President and Secretary are authorized to accept a grant deed or deeds to the property described as Assessor Parcel 074-010-001, and as more particularly described in Western Title Insurance Company's preliminary title report W-472093 dated May 6, 1977;
3. The President, Secretary, and General Manager are authorized to do such acts required to complete the acquisition of said property;
4. The General Manager is directed to cause the deed or deeds to be recorded in the Official Records of Contra Costa County; and
5. The sum of \$140,000.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-64 to pay the purchase price of \$135,000.00, title, legal and escrow fees, and other expenses necessary to complete the acquisition.

Moved by Director Mary Lee Jefferds, seconded by Director Walter H. Costa, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-6-184

June 21, 1977

RESOLUTION OF SUPPORT OF SB 308 - INTRODUCED BY SENATOR JOHN A. NEJEDLY

WHEREAS, Senator John A. Nejedly has introduced legislation referred to as SB 308 amending sections and adding Chapter 10 to Division 2 of the Fish and Game Code, and amending Section 5093.33 of the Public Resources Code relating to native plants, and making an appropriation therefor of the protection of endangered or rare species, subspecies or variety of native plants; and

WHEREAS. this Board has reviewed the objectives and provisions of such proposed legislation and desires to support same;

NOW, THEREFORE, BE IT RESOLVED that this Board finds that adoption of SB 308 would be in the best interests of the citizens of the East Bay Regional Park District and would serve the objectives and purposes of the District, and accordingly, the East Bay Regional Park District does hereby support such legislation and urges its enactment;

BE IT FURTHER RESOLVED that the General Manager is hereby directed to communicate a true copy of this resolution to all of the state legislators whose districts coincide with the territory of the East Bay Regional Park District, and to the Governor.

Moved by Director Paul J. Badger, seconded by Director Harlan R. Kessel, and adopted this 21st day of June, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

July 5, 1977

July 5, 1977

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-185

July 5, 1977

ADOPTION OF POSITION DESCRIPTIONS AND SALARY RANGES FOR ENGINEERING AIDE I
AND ENGINEERING AIDE II

WHEREAS, Staff has demonstrated the need to reintroduce the position of Engineering Aide I; and

WHEREAS, this reintroduction will require the retitling of the position of "Engineering Aide" to "Engineering Aide II"; and

WHEREAS, the salary ranges for these positions correspond with previously adopted positions;

NOW, THEREFORE, BE IT RESOLVED that the following Position Descriptions and Salary Ranges are hereby adopted for Engineering Aide I and Engineering Aide II:

ENGINEERING AIDE I

Reports to: Chief of Survey Party

GENERAL FUNCTIONS: Performs elementary aspects of surveying, drafting and general non-professional engineering field and office work; and do other work as required.

PRINCIPAL DUTIES and RESPONSIBILITIES:

1. Acts as head or rear chainman or as rodman.
2. Prepares and sets stakes.
3. Prepares the transport vehicle for daily use and maintains proper equipment and supplies.
4. Assists in calculations and reduction of field notes.
5. Plots topographical notes, profiles and cross-sections.
6. May do minor drafting.

MINIMUM QUALIFICATIONS:

Education: One year of college education in engineering technology, or

Experience: One year of non-professional engineering experience,

and

KNOWLEDGE, SKILLS, and ABILITIES: Knowledge of the principles of elementary mathematics and the principles of engineering surveying; ability to maintain harmonious working relationships with fellow employees and the public, and physical ability to perform strenuous field work.

A currently effective and valid driver's license is a condition of initial and continued employment in this classification.

<u>SALARY:</u>	<u>Start</u>	<u>6 Months</u>	<u>1 Year</u>	<u>2 Years</u>	<u>3 Years</u>
<u>Range VIII:</u>	\$1044	\$1075	\$1105	\$1137	\$1168

ENGINEERING AIDE II

Reports to: Chief of Survey Party

GENERAL FUNCTIONS: Under supervision to perform the less complex kinds of surveying, drafting, and general non-professional engineering field and office work; and do other work as required.

PRINCIPAL DUTIES and RESPONSIBILITIES:

1. Acts as Head Chainman or Levelman.
2. Makes and checks survey notes, maps, drawings, tracings, and elementary engineering computations.
3. May act as a construction inspector.
4. Tabulates and plots field data.
5. Assists in the installation of testing and measuring devices.
6. Acts as leadman for a small group of subordinates.

MINIMUM QUALIFICATIONS:

Education: Graduation from a terminal curriculum in engineering technology equivalent to that given in California junior colleges, or

Completion of at least two years of a curriculum in engineering beyond the twelfth grade, or

Experience: One year of experience in the District classification of Engineering Aide I, or

Two years of non-professional engineering experience, or one year of college education as listed above, and

One year of non-professional engineering experience.

KNOWLEDGE, SKILLS, and ABILITIES:

Ability to maintain a harmonious working relationship with fellow employees and the public; skillful use of elementary mathematics; and physical ability to perform strenuous field work.

A currently effective and valid driver's license is a condition of initial and continued employment in this classification.

<u>SALARY:</u>	<u>Start</u>	<u>6 Months</u>	<u>1 Year</u>	<u>2 Years</u>	<u>3 Years</u>
<u>Range X:</u>	\$1116	\$1148	\$1181	\$1215	\$1248

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 5th day of July, 1977, by the following vote:

FOR: Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.

AGAINST: Directors none.

ABSENT: Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-186

July 5, 1977

AWARD OF CONTRACT AFTER BIDDING - PORTABLE IRRIGATION SYSTEM FOR
CONTRA LOMA REGIONAL PARK

WHEREAS, bidding on a Portable Irrigation System for Contra Loma Regional Park was duly authorized by the Board; and

WHEREAS, the call for bids was published in the Oakland Tribune and the Hayward Daily Review on June 13, 1977; and

WHEREAS, two timely bids were received and opened on June 21, 1977, as set forth in the following summary of bids:

<u>BIDDER</u>	<u>BASE BID</u>
Rain for Rent, Woodland	\$12,786.53
Wren, Fresno	14,134.51; and

WHEREAS, the staff estimate for this project was \$12,000, which sum is included in the \$25,000 appropriated in the FY 1977/78 Budget (Account No. 14-43) for equipment for Contra Loma Regional Park; and

WHEREAS, the lowest responsible bid is \$12,786.53 by Rain for Rent, Woodland, California; and

WHEREAS, staff has recommended acceptance of the low bid;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bid by District Counsel, the President, Secretary, and General Manager are each hereby directed to take all appropriate action to award a contract to such low bidder in accordance with this resolution and the call for bids in the amount of the low bid; and

BE IT FURTHER RESOLVED that this project is assigned Project Account No. 14-35.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 5th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-187

July 5, 1977

AWARD OF CONTRACT AFTER BIDDING - TRACTOR/LOADER AND TRAILER

WHEREAS, the Board approved acquisition of a Tractor/Loader and Trailer in the FY 1977/78 Budget; and

WHEREAS, the call for bids was published in the Oakland Tribune on June 17, 1977, and in the Hayward Daily Review on June 16, 1977, and requests to bid were sent to seven prospective bidders; and

WHEREAS, four timely bids were received and opened in public on June 28, 1977, as set forth in the following summary of bids:

<u>BIDDER</u>	<u>BASE BID</u>	
	<u>Item 1</u> <u>(Tractor/Loader)</u>	<u>Item 2</u> <u>(Trailer)</u>
Jenkins Machinery Co., Concord	\$13,474.14	\$2,569.14
Hayward Ford Tractor Sales, Hayward	13,210.00	2,560.00
Hoyt Buettner Tractor Co., Hayward	13,023.87	2,677.30
Prather Ford Tractor Co., Pacheco	14,333.00	2,768.00 ; and

WHEREAS, the staff estimate was \$21,350.00 for the cost of the equipment and this amount is appropriated in the FY 1977/78 Budget (Account No. 5-08-578) for this equipment; and

WHEREAS, staff has recommended acceptance of the low bids on Item 1 and Item 2, and the lowest responsible bids are in the sum of \$13,023.87 for Item 1 by Hoyt Buettner Tractor Co., and in the sum of \$2,560.00 for Item 2 by Hayward Ford Tractor Sales; and

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bid by District Counsel, the President, Secretary, and General Manager are each hereby authorized to take all appropriate actions to award contracts to such low bidders in accordance with this resolution and the call for bids in the amount of the low bids; and

BE IT FURTHER RESOLVED that this purchase is assigned Project Account No. 5-08-578.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 5th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-188

July 5, 1977

APPROVAL OF CONTRACT WITH KORETSKY KING ASSOCIATES, INC., RICHMOND,
FOR PRELIMINARY ENGINEERING SERVICES FOR RESTORATION OF LAKE TEMESCAL

WHEREAS, staff has demonstrated the need for preliminary engineering services in connection with the restoration of Lake Temescal; and

WHEREAS, Koretsky King Associates, Inc., Richmond, licensed Civil Engineers, has submitted a proposal for preliminary engineering services on said project; and

WHEREAS, the sum of \$467,000 is appropriated in the FY 1977/78 Budget (Account No. 18-02) for this project;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to execute a contract with Koretsky King Associates, Inc., for preliminary engineering services in connection with restoration of Lake Temescal for a total sum not to exceed \$10,000, including any supplementary services approved by the General Manager, subject to the approval of the form of such contract by District Counsel; and

BE IT FURTHER RESOLVED that this project is assigned Project Account No. 18-02.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 5th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-189

July 5, 1977

APPROVAL OF DEMANDS - June 30, 1977

BE IT RESOLVED that the items set forth and as presented in the Demand Register for the period ending June 30, 1977, totaling \$508,228.60, are hereby approved and authorized for payment.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 5th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-190

July 5, 1977

ACCEPTANCE OF ACQUISITION EVALUATION REPORT ON 131.65 ACRES
OF PLEASANTON GRAVEL COMPANY (RHODES-JAMIESON) PROPERTY FOR
ADDITION TO ALAMEDA CREEK QUARRIES REGIONAL RECREATION AREA

WHEREAS, the East Bay Regional Park District is considering acquisition by purchase and joint-use agreement of 131.65 acres, more or less, of Pleasanton Gravel Company (Rhodes-Jamieson) property for addition to Alameda Creek Quarries Regional Recreation Area; and

WHEREAS, staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation Report covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation Report presented to and considered by the Board this date, covering 131.65 acres, more or less, of Pleasanton Gravel Company (Rhodes-Jamieson) property for addition to Alameda Creek Quarries Regional Recreation Area, is hereby accepted for filing, and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 5th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-191

July 5, 1977

AUTHORIZATION TO PURCHASE PLEASANTON GRAVEL COMPANY (RHODES-JAMIESON) PROPERTY
AT ALAMEDA CREEK QUARRIES REGIONAL RECREATION AREA

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy has been completed, all in accordance with the District's Master Plan; and

WHEREAS, by Resolution No. 1977-7-190, adopted July 5, 1977, this Board accepted an Acquisition Evaluation Report on the 131.65 acres, more or less, of Pleasanton Gravel Company (Rhodes-Jamieson) property for addition to Alameda Creek Quarries Regional Recreation Area; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The President and Secretary are hereby authorized to execute and deliver the Agreement for Purchase and Sale of Property between the District and Pleasanton Gravel Company (Rhodes-Jamieson) for the purchase of 60.957 acres, more or less, in the City of Fremont, California, in the form presented to the Board this date, the purchase under said Agreement to be subject, however, to District compliance with Government Code Section 65402 and subject also to the approval of a Quarry Rehabilitation Plan by the District's Board of Directors, the Alameda County Water District, and the City of Fremont, as provided in said Agreement;

2. The President and Secretary are authorized to accept a Grant Deed to the property described in said Agreement;

3. The President, Secretary, and General Manager are authorized to do such acts as are required to complete the acquisition of said property;

4. The General Manager is directed to cause the deed to be recorded in the Official Records of Alameda County; and

5. The sum of \$290,000.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-66 to pay the purchase price of \$285,000.00, title and escrow fees, and other expenses necessary to complete the acquisition.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 5th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-192

July 5, 1977

APPROVAL OF JOINT-USE AGREEMENT FOR 132-ACRE PROPERTY AT ALAMEDA CREEK
QUARRIES REGIONAL RECREATION AREA

WHEREAS, by Resolution No. 1977-7-190, adopted this date, this Board found acquisition of 131.65 acres of Pleasanton Gravel Company (Rhodes-Jamieson) property for addition to Alameda Creek Quarries Regional Recreation Area to be consistent with the acquisition goals and policies of the District; and

WHEREAS, by Resolution No. 1977-7-191, adopted this date, this Board authorized the acquisition of 60.957 acres, more or less, from Pleasanton Gravel Company (Rhodes-Jamieson); and

WHEREAS, said purchase is an integral part of a purchase/gift arrangement among Pleasanton Gravel Company (Rhodes-Jamieson), the Park District, and the Alameda County Water District under the terms of which the Alameda County Water District is to be gifted with 71 acres, which property, along with the 60.957 acres acquired by the Park District, is to be administered under a Joint-Use Agreement; and

WHEREAS, under the District's Environmental Review Manual, this Joint-Use Agreement is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA; and

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed, all in accordance with the District's Master Plan;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to execute and deliver on behalf of the District, upon close of escrow for the purchase of the aforesaid 60.957 acres from Pleasanton Gravel Company (Rhodes-Jamieson), that certain Joint-Use Agreement between the District and the Alameda County Water District presented to the Board this date (subject to nonsubstantive changes approved by the President and District Counsel), and the General Manager is authorized to record same in the Office of the Recorder of Alameda County; and

BE IT FURTHER RESOLVED that the General Manager is authorized to accept, on behalf of the Park District, a payment from the Alameda County Water District in an amount equal to one-half of the acquisition and appraisal expense incurred by the Park District for the purchase of the said 60.957 acres of the property covered by the Joint-Use Agreement.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 5th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-193

July 5, 1977

ACCEPTANCE OF ACQUISITION EVALUATION REPORT ON 640 ACRES OF JOSEPH R. TELLES,
ET AL, PROPERTY FOR ADDITION TO RIDGELANDS REGIONAL WILDERNESS

WHEREAS, the East Bay Regional Park District is considering acquisition by purchase of 640 acres, more or less, of the Joseph R. Telles, et al, property for addition to Ridgeland Regional Wilderness; and

WHEREAS, Staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation Report covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation Report presented to and considered by the Board this date, covering 640 acres, more or less, of Joseph R. Telles, et al, property for addition to Ridgeland Regional Wilderness, is hereby accepted for filing, and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan.

Moved by Director Paul J. Badger, seconded by Director Howard L. Cogswell, and adopted this 5th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-194

July 5, 1977

AUTHORIZATION TO PURCHASE JOSEPH R. TELLES PROPERTY (16/18 INTEREST) AT
RIDGELANDS REGIONAL WILDERNESS

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed, all in accordance with the District's Master Plan; and

WHEREAS, by Resolution No. 1977-7-193, adopted July 5, 1977, this Board accepted an Acquisition Evaluation Report on the 640 acres, more or less, of Joseph R. Telles property for addition to Ridgeland Regional Wilderness; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The President and Secretary are hereby authorized to exercise the District's option to purchase under that Option to Purchase Real Property between the District and Joseph R. Telles, as to his 16/18 interest, dated June 6, 1977, as presented to the Board this date, subject, however, to District compliance with Government Code Section 65402;
2. The President and Secretary are authorized to accept a Grant Deed to the 16/18 interest in the property described as Assessor Parcel 96-460-3, and more particularly described in Western Title Insurance Company's preliminary title report 217893, dated May 26, 1977;
3. The President, Secretary, and General Manager are authorized to do such acts as are required to complete the acquisition of said property;
4. The General Manager is directed to cause the deed to be recorded in the Official Records of Alameda County;
5. The sum of \$145,000.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-67 to pay the purchase price of \$142,000.00, title and escrow fees, and other expenses necessary to complete the acquisition, based on an initial payment of 29% of the purchase price and the balance to be paid in five equal annual installments at an interest rate of 6% per year on the outstanding balance.

Moved by Director Paul J. Badger, seconded by Director Howard L. Cogswell, and adopted this 5th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-194

July 5, 1977

AUTHORIZATION TO PURCHASE JOSEPH R. TELLES PROPERTY (16/18 INTEREST) AT
RIDGELANDS REGIONAL WILDERNESS

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed, all in accordance with the District's Master Plan; and

WHEREAS, by Resolution No. 1977-7-193, adopted July 5, 1977, this Board accepted an Acquisition Evaluation Report on the 640 acres, more or less, of Joseph R. Telles property for addition to Ridgeland Regional Wilderness; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The President and Secretary are hereby authorized to exercise the District's option to purchase under that Option to Purchase Real Property between the District and Joseph R. Telles, as to his 16/18 interest, dated June 6, 1977, as presented to the Board this date, subject, however, to District compliance with Government Code Section 65402;
2. The President and Secretary are authorized to accept a Grant Deed to the 16/18 interest in the property described as Assessor Parcel 96-460-3, and more particularly described in Western Title Insurance Company's preliminary title report 217893, dated May 26, 1977;
3. The President, Secretary, and General Manager are authorized to do such acts as are required to complete the acquisition of said property;
4. The General Manager is directed to cause the deed to be recorded in the Official Records of Alameda County;
5. The sum of \$145,000.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-67 to pay the purchase price of \$142,000.00, title and escrow fees, and other expenses necessary to complete the acquisition, with a 29% initial payment of \$41,180.00 on the purchase price and the balance in five equal annual installments, plus interest at 6% per year on the outstanding balance.

Moved by Director Badger, seconded by Director Cogswell, and adopted this 5th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-195

July 5, 1977

RESOLUTION IN SUPPORT OF AB 1717

WHEREAS, there is pending before the California Legislature AB 1717, introduced by Assemblymen Fazio, Boatwright, Gage, and Knox (Coauthors: Senators Dunlap and Nejedley) for enactment of the Suisun Marsh Preservation Act of 1977; and

WHEREAS, it is the intent of this bill to protect and preserve Suisun Marsh and to improve water management practices on privately-owned lands within the Suisun Marsh area ;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District supports the passage of AB 1717 as necessary for the preservation and protection of Suisun Marsh and the wildlife habitat which the marsh provides; and

BE IT FURTHER RESOLVED that the General Manager is hereby directed to notify the appropriate State Legislators of the District's support of this important legislation.

Moved by Director Paul J. Badger, seconded by Director Harlan R. Kessel, and adopted this 5th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-196

July 5, 1977

RESOLUTION IN SUPPORT OF SB 522 AND AB 860

WHEREAS, there is pending before the California Legislature SB 522, introduced by Senators Dunlap and Behr, dealing with the protection of Mountain Lions, and AB 860, introduced by Assemblyman Lockyer, relating to solid waste management and recycling and making an appropriation therefor;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District supports the passage of both SB 522 and AB 860 as being in the best interests of the citizens of the East Bay Regional Park District and, therefore, urges their enactment; and

BE IT FURTHER RESOLVED that the General Manager is hereby directed to notify the appropriate State Legislators of the District's support of these two bills.

Moved by Director Harlan R. Kessel, seconded by Director Paul J. Badger, and adopted this 5th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-197

July 5, 1977

RESOLUTION IN OPPOSITION TO AB 1931

WHEREAS, there is pending before the California Legislature AB 1931, introduced by Assemblyman McVittie, which deals with the bidding procedures on public works contracts; and

WHEREAS, this Board feels that some of the bidding procedures and bidding requirements in this legislation are not in the best interests of the citizens of the East Bay Regional Park District;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District opposes passage of AB 1931; and

BE IT FURTHER RESOLVED that the General Manager is hereby directed to notify the appropriate State Legislators of the District's opposition to this legislation.

Moved by Director Harlan R. Kessel, seconded by Director Paul J. Badger, and adopted this 5th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-198

July 5, 1977

ACCEPTANCE OF RESOURCE ANALYSIS: BLACK DIAMOND MINES REGIONAL PRESERVE

WHEREAS, Staff has prepared a Resource Analysis for Black Diamond Mines Regional Preserve and has held a public hearing on it as required by the Parkland Planning Policy of the District's Master Plan;

NOW, THEREFORE, BE IT RESOLVED that the Resource Analysis prepared by Staff for Black Diamond Mines Regional Preserve and presented to the Board this date is hereby accepted for filing in the District's records.

Moved by Director Walter H. Costa, seconded by Director Howard L. Cogswell, and adopted this 5th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

July 19, 1977

July 19, 1977

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-199

July 19, 1977

APPROVAL OF REVISED RELOCATION ASSISTANCE AND REAL
PROPERTY ACQUISITION GUIDELINES

WHEREAS, Section 7267.8(a) of the Government Code requires that public entities adopt rules and regulations to implement relocation assistance, in conformity with Guidelines adopted by the Commission of Housing and Community Development; and

WHEREAS, on January 1, 1977, the Department of Housing and Community Development (formerly Commission) circulated revised Relocation Guidelines implementing the California Relocation Act; and

WHEREAS, present District Relocation Guidelines approved by this Board October 7, 1975 by Resolution No. 1975-10-192, no longer conforms to California Department of Housing and Community Development Guidelines, as recently amended; and

WHEREAS, the General Manager has caused District Counsel and staff to prepare a form of revised Guidelines in conformance with the Government Code and the State Guidelines, which form has been presented this date to this Board for its consideration;

NOW, THEREFORE, BE IT RESOLVED that the Relocation Assistance and Real Property Acquisition Guidelines, Articles 1 through 6, consisting of 57 type-written pages and Appendix A, presented to this Board this date, are hereby approved and adopted effective July 19, 1977, replacing the Guidelines adopted October 7, 1975; and

BE IT FURTHER RESOLVED that the General Manager is hereby designated the Relocation Officer for all purposes described in the Relocation Guidelines.

Moved by Director Harlan R. Kessel, seconded by Director Howard L. Cogswell, and adopted this 19th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

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EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-200

July 19, 1977

APPROVAL OF SALARY INCREASE FOR BRUCE RAYL, LIEUTENANT,
PUBLIC SAFETY ADMINISTRATION

WHEREAS, Bruce Rayl has completed one year in the position of Lieutenant, Public Safety Administration; and

WHEREAS, his performance, as indicated on the completed Performance Appraisal Report, is above average and indicates a positive contribution to the growth and development of the Public Safety Department;

NOW, THEREFORE, BE IT RESOLVED that effective July 1, 1977, the salary of Bruce Rayl shall be increased to an annual rate of \$21,272 (Grade 5, Salary Step c).

Moved by Director Harlan R. Kessel, seconded by Director Howard L. Cogswell, and adopted this 19th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-201

July 19, 1977

DECLARATION OF DISTRICT EQUIPMENT AS SURPLUS AND AUTHORIZING SALE OF SAME
ALONG WITH UNCLAIMED PROPERTY IN POSSESSION OF THE DISTRICT

WHEREAS, by presentation this date, staff has demonstrated that certain items of District equipment are surplus to District needs; and

WHEREAS, there are also items of unclaimed property in possession of the District which have been held for more than six months; and

WHEREAS, staff proposes to dispose of such surplus District equipment and unclaimed property at a public auction on August 20, 1977, and announcement of such public auction will be published in a newspaper of general circulation in the District and by mailing notice of same to a list of established bidders' cards;

NOW, THEREFORE, BE IT RESOLVED that this Board finds that certain items of equipment are unnecessary for the purposes of the District and are hereby declared surplus; and

BE IT FURTHER RESOLVED that the General Manager is hereby authorized and directed to dispose of such surplus equipment, and such unclaimed property in possession of the District held for more than six months, at a public auction and call for written or oral bids for the cash purchase of such equipment and unclaimed property; and

BE IT FURTHER RESOLVED that the General Manager is hereby authorized to accept the highest bid for each item or group of items or to reject any or all bids on such property, and to waive any informalities, irregularities, or defects in any bid where such a waiver is in the best interests of the District; and

BE IT FURTHER RESOLVED that the proceeds of such sale shall be deposited in the General Fund and used for general purposes of the District; and

BE IT FURTHER RESOLVED that a list of declared surplus equipment and unclaimed property in possession of the District and offered for sale at public auction on August 20, 1977, be made a part of this resolution and attached hereto as an exhibit.

Moved by Director Harlan R. Kessel, seconded by Director Howard L. Cogswell, and adopted this 19th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-202

July 19, 1977

APPROVAL OF DEMANDS - July 19, 1977

BE IT RESOLVED that the items set forth and as presented in the Demand Register for the period ending July 19, 1977, totaling \$914,091.50, are hereby approved and authorized for payment.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 19th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-203

July 19, 1977

AUTHORIZATION TO ACCEPT TITLE TO 1.23 ACRES FROM FIRST AMERICAN TITLE GUARANTY
COMPANY IN THE VICINITY OF LAS TRAMPAS REGIONAL WILDERNESS

WHEREAS, by Resolution No. 3980 adopted May 2, 1972, by the Board of Directors of this District, the General Manager was authorized to accept a gift of property on Las Trampas Ridge as a dedication relating to the subdivision of adjacent acreage; and

WHEREAS, by deed dated July 13, 1976, the District took title to 187 acres in accordance with the aforementioned resolution, which acreage is currently held in land bank; and

WHEREAS, First American Title Guaranty Company, as a condition for approval of Contra Costa County Subdivision 47-64, has agreed to grant to the Park District 1.23 acres adjacent to the 187-acre land bank as an additional access corridor thereto; and

WHEREAS, it is recommended by staff that this dedication be accepted to enhance the surrounding neighborhoods' accessibility to the 187-acre land bank;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are authorized to accept a grant deed to the 1.23 acre parcel of the First American Title Guaranty Company property connecting Gerald Drive in Danville to the District's 187-acre land bank parcel at Las Trampas Ridge, as presented to the Board this date, and the General Manager is directed to record same in the Official Records of Contra Costa County.

Moved by Director Harlan R. Kessel, seconded by Director Howard L. Cogswell, and adopted this 19th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-204

July 19, 1977

AUTHORIZATION TO MAKE APPLICATION TO THE PUBLIC UTILITIES COMMISSION FOR
AUTHORITY TO CONSTRUCT A PEDESTRIAN OVERCROSSING OF SANTA FE RAILWAY AT
GEORGE MILLER, JR. REGIONAL SHORELINE

WHEREAS, by Resolution No. 1976-5-123, adopted May 18, 1976, the East Bay Regional Park District Board of Directors approved Phases 1 through 5 of a development plan for George Miller, Jr. Regional Shoreline which included, as Phase 3, a pedestrian overcrossing structure of Santa Fe Railway; and

WHEREAS, preliminary design and studies now provide adequate information to make application to the Public Utilities Commission of the State of California for authority to construct such crossing;

NOW, THEREFORE, BE IT RESOLVED that the General Manager, by his designee, Hulet Hornbeck, is hereby authorized and directed to make due application to the California Public Utilities Commission for authority to construct a pedestrian overcrossing of the Santa Fe Railway and for a temporary grade crossing during the period of construction at George Miller, Jr. Regional Shoreline in accordance with staff presentation this date.

Moved by Director Paul J. Badger, seconded by Director Mary Lee Jefferds, and adopted this 19th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-205

July 19, 1977

AUTHORIZATION TO PURCHASE ALAMO PROPERTIES PROPERTY AS PART OF THE LAS TRAMPAS
TO MT. DIABLO REGIONAL TRAIL

WHEREAS, the East Bay Regional Park District's proposed Las Trampas to Mt. Diablo Regional Trail is intended to provide a hiking and equestrian connection between Las Trampas Regional Wilderness and Mt. Diablo State Park; and

WHEREAS, to make this connection safe for public use, it is necessary for said trail to cross under Interstate 680 at an existing underpass known as La Gonda Way, which underpass leads to lands owned by Alamo Properties; and

WHEREAS, it is necessary to route said trail from the La Gonda Way underpass through lands of Alamo Properties to reach Stone Valley Road via other private properties; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The President and Secretary are hereby authorized to exercise the District's option to purchase under that certain Option to Purchase Real Property between the District and Alamo Properties, dated June 29, 1977, subject, however, to District compliance with Government Code Section 65402;
2. The President and Secretary are authorized to accept a grant deed to the property described as portions of Assessor Parcels 197-082-004, 197-082-005, 197-082-013, and 197-082-003, and described in Western Title Insurance Company's preliminary title report 355971-1, dated January 5, 1975;
3. The President, Secretary, and General Manager are hereby authorized to complete the acquisition of said property;
4. The General Manager is directed to record same in the Official Records of Contra Costa County; and
5. The sum of \$85,000.00 is hereby appropriated from Supplemental Land Fund, Reserve for Trails, Account No. 29-20-301, to Account No. 31-69 to cover the purchase price of \$82,500.00, title, legal, and escrow fees, and other expenses necessary to complete the acquisition.

Moved by Director Howard L. Cogswell, seconded by Director Harlan R. Kessel, and adopted this 19th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-206

July 19, 1977

ACCEPTANCE OF ACQUISITION EVALUATION REPORT ON 147 ACRES OF CLARK WALLACE,
DOUGLAS JENKINSON AND MARY JENKINSON PROPERTY (FORMERLY ROSSI) AT
ROBERT SIBLEY REGIONAL PRESERVE

WHEREAS, the East Bay Regional Park District is considering an acquisition by purchase of 147 acres, more or less, of Clark Wallace, Douglas Jenkinson and Mary Jenkinson property at Robert Sibley Regional Preserve; and

WHEREAS, staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation Report covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation Report presented to and considered by the Board this date, covering 147 acres, more or less, of Clark Wallace, Douglas Jenkinson and Mary Jenkinson property at Robert Sibley Regional Preserve, is hereby accepted for filing and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan.

Moved by Director Harlan R. Kessel, seconded by Director Mary Lee Jefferds, and adopted this 19th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-207

July 19, 1977

AUTHORIZATION TO PURCHASE 147 ACRE PARCEL FROM CLARK WALLACE, DOUGLAS JENKINSON
AND MARY JENKINSON FOR EXPANSION OF ROBERT SIBLEY REGIONAL PRESERVE

Whereas, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed, all in accordance with the District's Master Plan; and

WHEREAS, by Resolution No. 1977-7-206, adopted July 19, 1977, this Board accepted an Acquisition Evaluation Report on the 147 acres, more or less, of Clark Wallace, Douglas Jenkinson and Mary Jenkinson property (formerly Rossi) at Robert Sibley Regional Preserve; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the President and Secretary are hereby authorized to exercise the District's option to purchase under that certain Option to Purchase Real Property between the District and Clark Wallace, Douglas Jenkinson and Mary Jenkinson as presented to the Board this date, subject, however, to District compliance with Government Code Section 65402;
2. The President and Secretary are authorized to accept a grant deed to the property described in Assessor Parcel 273-180-011, and as more particularly described in Western Title Insurance Company's preliminary title report W-472174 dated May 23, 1977;
3. The President, Secretary, and General Manager are authorized to do such acts required to complete the acquisition of said property;
4. The General Manager is directed to cause the deed or deeds to be recorded in the Official Records of Contra Costa County;
5. The sum of \$290,000.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-68 to pay the purchase price of \$286,650.00, title insurance, legal, and escrow fees, and other expenses necessary to complete the acquisition;
6. All of the foregoing is subject to provision, satisfactory to the General Manager, for acquisition of permanent access to the property over the "Stone" Property, and for termination of rights in third parties to quarry on the property.

Moved by Director Harlan R. Kessel, seconded by Director Mary Lee Jefferds, and adopted this 19th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-208

July 19, 1977

SUPPORT FOR ARMY CORPS OF ENGINEERS FLOOD CONTROL PROJECT ON
WILDCAT AND SAN PABLO CREEKS

WHEREAS, this Board adopted a Schematic Regional Trail Plan on October 5, 1976; and

WHEREAS, such plan provides for the development of a riding and hiking trail from Wildcat Canyon Regional Park to Point Pinole Regional Shoreline; and

WHEREAS, a portion of such trail can be developed as part of the flood control improvements planned by the Army Corps of Engineers for Wildcat and San Pablo Creeks; and

WHEREAS, the Army Corps of Engineers will participate in the development of such a trail and will share 50% of the cost of such development;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District hereby declares its intent to share 50 percent of certain costs of the proposed trail related recreational development along the Wildcat and San Pablo Creeks Flood Control Project and the District's willingness to operate and maintain the trail facilities, subject to definitive agreements to be concluded between the District, the Army Corps of Engineers and other public agencies.

Moved by Director Paul J. Badger, seconded by Director Mary Lee Jefferds, and adopted this 19th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-209

July 19, 1977

APPROVAL OF DEVELOPMENT PLAN, DATED JULY 15, 1977, LABELED EXHIBIT B, WITH ATTACHMENTS I, II, AND III (MAP, DESCRIPTION, DEVELOPMENT SCHEDULE, ASSIGNMENT OF RESPONSIBILITIES AND BRIDGE DESIGN) FOR REGIONAL SHORELINE AT
SAN LEANDRO BAY

WHEREAS, the Port of Oakland and the East Bay Regional Park District have been in extensive negotiations for a number of years in regard to the lease of land and water for a Regional Shoreline at San Leandro Bay; and

WHEREAS, said negotiations resulted in the approval of a Lease by Resolution No. 1976-3-74 dated March 30, 1976, with the Port of Oakland for the acquisition by lease of approximately 580 acres of land and water at San Leandro Bay, as amended on April 6, 1976 by Resolution No. 1976-4-80 (the "Lease"); and

WHEREAS, the Board of Port Commissioners subsequently approved the intent contained in both of the Resolutions cited above by their own Resolutions of approval; and

WHEREAS, said Lease provides that a mutually agreeable Development Plan containing a schedule of development shall be passed by the respective governing boards of the Port and the Park District, which Development Plan shall be attached to the Lease as Exhibit "B"; and

WHEREAS, the Board of the East Bay Regional Park District subsequently adopted a Land Use Development Plan/EIR for San Leandro Bay on March 22, 1977, and have forwarded two development plans to the Port staff for review; and

WHEREAS, the Development Plan has been the subject of intense negotiations for the past several weeks;

NOW, THEREFORE, BE IT RESOLVED that:

1. The Development Plan, dated July 15, 1977, labeled Exhibit B, with attachments I, II, and III (Map, Description, Development Schedule, Assignment of Responsibilities, and Bridge Design) in the form submitted by staff this date is hereby approved subject to approval by District Counsel; and
2. Such Development Plan shall be transmitted to the Board of Port Commissioners for their meeting of August 3, 1977; and
3. The Lease and finally approved Development Plan shall be appended to the grant application for Land and Water Conservation Funds and any other grants applied for, and to the District's application for a permit from BCDC for development at San Leandro Bay Regional Shoreline.

Moved by Director John J. Leavitt, seconded by Director Mary Lee Jefferds, and adopted this 19th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-211

July 19, 1977

APPROVAL OF APPLICATION FOR LAND AND WATER CONSERVATION FUNDS FOR SAN LEANDRO
BAY DOOLITTLE DRIVE RECREATION AREA

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a Federal Land and Water Conservation Fund Grant-in-Aid Program, providing matching funds to the State of California and its political subdivisions for acquiring lands and developing facilities for public outdoor recreation purposes; and

WHEREAS, the State Department of Parks and Recreation is responsible for the administration of the program within the State, setting up necessary rules and procedures governing application by local agencies under the program; and

WHEREAS, said adopted procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications and the availability of local matching funds prior to submission of said applications to the State; and

WHEREAS, Part V of said applications contains assurances that the applicant must comply with; and

WHEREAS, the proposed San Leandro Bay Doolittle Drive Recreation Area project is consistent with the California Outdoor Recreation Resources Plan; and

WHEREAS, the project must be compatible with the land use plans of those jurisdictions immediately surrounding the project;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby:

1. Approves the filing of an application for Land and Water Conservation Fund assistance; and
2. Certifies that said agency understands the assurances in Part V of the application and certifies that it will comply with the regulations, policies, guidelines, and requirements, including A-95 FMC 74-4 and FMC 74-7, and as they relate to the application.
3. Certifies that said agency has matching funds from the following sources: locally generated funds and State Urban Grants Program funds, and can finance 100 percent of the project, half of which will be reimbursed; and
4. Certifies that the project is compatible with the land use plans of those jurisdictions immediately surrounding the project; and

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-210

July 19, 1977

AUTHORIZING APPRAISAL OF THE SARDIS PROPERTY (LITTLE CORRAL) EAST OF ANTIOCH

WHEREAS, by presentation this date, Nature Conservancy has demonstrated its interest in acquiring and preserving the Sardis Property (Little Corral) east of Antioch as a preserve or recreation area; and

WHEREAS, the District wishes to participate in this interest to the extent of investigating the possibility of some form of ultimate acquisition and preservation of the Sardis Property for park purposes;

NOW, THEREFORE, BE IT RESOLVED that the General Manager is hereby authorized to obtain an appraisal of the market value of the Sardis Property, pursuant to the District's Parkland Acquisition procedure and that such appraisal be made available for inspection by Nature Conservancy; and

BE IT FURTHER RESOLVED that nothing provided for herein shall in any manner commit the East Bay Regional Park District to the acquisition, development, use or maintenance of this area for park purposes.

Moved by Director Mary Lee Jefferds, seconded by Director Paul J. Badger, and adopted this 19th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Mary Lee Jefferds, and Harlan R. Kessel.
AGAINST:	Directors Howard L. Cogswell and John J. Leavitt.
ABSENT:	Director Walter H. Costa.

5. Appoints the General Manager as agent of the District to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments, billing statements, and so on which may be necessary for completion of the aforementioned project.

Moved by Director John J. Leavitt, seconded by Directors Mary Lee Jefferds and Paul J. Badger, and adopted this 19th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-212

July 19, 1977

IN MEMORIUM - TO HANS E. FEIBUSCH

WHEREAS, the East Bay Regional Park District was expertly served by the talents of Hans E. Feibusch in his authorship of the Environmental Impact Statement for the Contra Costa Canal as a portion of the Regional Trails Project, and by his tremendous efforts in preserving the wilderness area of Apperson Ridge;

WHEREAS, the Board recently learned that death has taken Hans Feibusch, prominent civil and structural engineer, environmental planner, and leader in Bay Area civic and conservation efforts; and

WHEREAS, Mr. Feibusch's passing brings to a close a most distinguished career of accomplishments in the area of conservation and environmental planning; and

WHEREAS, the staff and Board of Directors of the East Bay Regional Park District recall Mr. Feibusch's untiring efforts in regional trails planning, his active devotion to all phases of the environmental planning process, and gracious manner to his fellow man;

NOW, THEREFORE, BE IT RESOLVED that this Board notes with deep sorrow the loss of Hans E. Feibusch and offers in respect and admiration to his memory, this resolution "In Memorium" and directs that a copy be sent to Mrs. Florence Feibusch, his widow, as an expression of this Board's sympathy and heartfelt condolence.

Moved by Director Paul J. Badger, seconded by Director Harlan R. Kessel, and adopted this 19th day of July, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-7-213

July 19, 1977

AUTHORIZING PARTICIPATION IN LAWSUIT CHALLENGING CONSTITUTIONALITY OF
UNEMPLOYMENT COMPENSATION ACT OF 1976

WHEREAS, the Unemployment Compensation Act of 1976 (PL 94-566) ("the Act") requires state and local governments to provide unemployment compensation benefits to their employees; and

WHEREAS, the constitutionality of PL 94-566 is being challenged in a suit brought by the National Institute of Municipal Law Officers ("NIMLO"), and as of May 25, 1977, 270 state and local governments have joined a multi-party lawsuit to be filed by NIMLO against the law's becoming effective on January 1, 1978 as to those governmental units participating in the suit; and

WHEREAS, initial judicial relief in the form of a preliminary injunction will be sought pendente lite, suspending operation of the amendments during the two to three years it will take a decision on the constitutionality of the amendments from the Supreme Court; and

WHEREAS, by the terms of the Act, effective January 1, 1978, non-participants in the suit will at least have to pay taxes up to 3.6 percent of the first \$7,000 of wages of each employee annually; and

WHEREAS, staff has demonstrated that it is in the best interests of the District to join the suit brought by NIMLO; and

WHEREAS, NIMLO has assured the District that since both Contra Costa and Alameda counties have joined the suit and that, therefore, there will be no further cost to the District to join as a plaintiff;

NOW, THEREFORE, BE IT RESOLVED that the President, Secretary, and General Manager are authorized to perform any and all acts required to join the lawsuit brought by NIMLO challenging the constitutionality of the Act amendments, prior to August 1, 1977, provided that it shall be confirmed hereby to NIMLO that the District shall not be obligated for any costs, fees, or other expenses in connection with the lawsuit.

Moved by Director William F. Jardin, seconded by Director Mary Lee Jefferds, and adopted this 19th day of July, 1977, by the following vote:

FOR:	Directors Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSTAIN:	Directors Paul J. Badger and Harlan R. Kessel.
ABSENT:	Director Walter H. Costa.

August 2, 1977

AUG 11 1977

MINUTES
REGULAR MEETING
EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS

2:00 p.m. EBRPD
CONTROLLER

Tuesday, August 2, 1977

BART Headquarters
800 Madison Street
Oakland, California

A. ROLL CALL

Following an Executive Session which had been called for 1:00 p.m. regarding land acquisition, with Attorney Jack Rogers, the regular meeting of the Board of Directors of the East Bay Regional Park District of Tuesday, August 2, 1977, was called to order by Board President John J. Leavitt at 2:20 p.m. The meeting was held in the Board Room at BART Headquarters, 800 Madison Street, Oakland. Although originally scheduled for 2:00 p.m., the meeting did not commence until 20 minutes later due to the fact that BART was having a bid opening in the Board Room at 2:00 p.m.

Present: Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.

Absent: Director Harlan R. Kesse.

Staff: General Manager Richard C. Trudeau, Asst. General Manager Jerry D. Kent, Controller Ralph Meilandt, Chief of Administration Robert Owen, Department Heads: Hulet Hornbeck, Chief, Acquisition; Christian Nelson, Chief of Parks and Interpretation; Lewis Crutcher, Chief, Planning and Design; Staff members: Bill Gries, Grace Lewis, Harold Luhtala, Peter Koos, Tom Schweser, Ray Flores, Ken Robey, Carleen Bruins, and Tracy Ann Gibbons. District Counsel: Donn Black (Wendel, Lawlor, Rosen & Black).

Visitors: Although a number of visitors were present, only three signed the Log: George Cardinet (East Bay Trails Council), M. J. Mangini, and David W. Lubkert.

B. APPROVAL OF AGENDA

On motion of Director Cogswell, seconded by Director Jefferds, the agenda for the meeting was approved by unanimous vote, subject to deletion of Items 4.b. and 5.a. and the addition of an addenda item to be included under the Consent Calendar as item "i".

C. APPROVAL OF MINUTES - July 19, 1977

On motion of Director Jefferds, seconded by Director Cogswell, the Minutes for the July 19, 1977 Board meeting were approved by a vote of 5 to 0. Director Costa abstained from voting as he was not present at the July 19 meeting. The Minutes were subject to typographical corrections, additions, and notation of the fact that it was Randy Milliken, not Mark Palmer, who made the statement about the Antioch Sand Dunes having been left out of the Master Plan (second paragraph, page 12).

Also at the request of District Counsel Black the declaration of District equipment as surplus (item "c", page 2) was put over until the next Board meeting as the list of surplus equipment was not available for Board review. Therefore, Resolution No. 1977-7-201 was carried over for readoption at the August 18 Board meeting.

D. BUSINESS BEFORE THE BOARD

1. CONSENT CALENDAR

On motion of Director Cogswell, seconded by Director Jardin, Consent Calendar items "c", "d", "e", "g", "h", and "i" (addenda item) were approved by unanimous vote, as noted herein. Items "a", "b", and "f" were removed from the Consent Calendar for discussion.

a. Adoption of Resolution on Board Compensation pursuant to AB 854 (Knox).

Director Jefferds had a number of questions on this item, particularly relating to the wording of the resolution proposed for adoption. If the Board Members were to be compensated for "other meetings", Director Jefferds said the resolution needs to clearly define this term. Counsel Black said the wording of the statute limits the scope to somewhat formal Board meetings, but relates to standing committees on the basis that they have the aura of a formal official Board function.

Director Badger suggested that this apply to meetings where Board Members are almost required to be in attendance. Director Cogswell commented that these would essentially be standing committee meetings with public officials, and, therefore, are covered by the statute. Directors Badger and Cogswell noted the possibility of getting paid \$100 for a split meeting, from the wording of the resolution, which was not the Board's intent.

General Manager Trudeau advised that there was correspondence on this with Mike Manley, the legislative advocate, and the Governor's office. Director Jefferds suggested, since there was no urgency as the law is not effective until January 1, 1978, to avoid misinterpretation, staff review this further and bring it back to the Board at the next or a later Board meeting. As there was no objection, President Leavitt tabled the matter to a subsequent Board meeting.

b. Approval of Position Description for Executive Assistant.

Directors Cogswell and Jefferds had requested that this item be removed from the Consent Calendar for discussion. Director Cogswell noted that there was supposed to be a revision of the description available. Director Jefferds asked if the position had been budgeted, and if the position has been filled on a temporary basis. Mr. Trudeau responded that the position has been budgeted, as has the position for Administrative Assistant, and that only the position of Administrative Assistant has been filled on a temporary basis. Both positions, Mr. Trudeau said, would be posted and sent out for interviews.

Chief of Administration Bob Owen explained the changes in the job description. Minor grammatical corrections were made in the first paragraph, the second paragraph clarified the overlap between the legislative advocate and this position, and the third paragraph clarified the distinction between the responsibilities of the position in regard to public hearings as opposed to public relations activities, Mr. Owen said.

Director Cogswell, referring to the final paragraph of the job description, suggested that if the kind of knowledge, ability, interest and aptitude listed are qualifications for the position, they should be so stated. Mr. Owen said these could be moved into the qualifications section and is appropriate.

Director Badger asked for clarification of the alternate pattern of education and experience. Mr. Owen explained that the substitution is only for the experience, that the additional education can replace experience. Director Cogswell, having

read the revised job description, stated that the new description clarified his concerns about the overlap of duties of the legislative advocate and the Public Information Department. Director Cogswell moved for adoption of the job description, as revised. Director Jefferds seconded the motion, commenting that she was glad to hear that this position, as well as the position for Administrative Assistant, will be posted as job opportunities and will be helpful in increasing the District's affirmative action record.

President Leavitt asked if the Executive Assistant would get an automobile. Mr. Trudeau said, probably, unless there is a revision in the automobile factor because of the IRS ruling where there might be alternative funding in place of an automobile, which is under staff discussion now. President Leavitt commented that the District could have the individual pay the District \$25 a month or something on that order as a payback.

As a general comment President Leavitt said he was sure the Board was aware of the tremendous increases that have been going on in the administrative area at the Headquarters offices, where the costs have gone up enormously in the last couple of years. President Leavitt said he hoped the District was in a position to say that it can justify the expenditure of what looks clearly in excess of \$20,000 a year for this position.

Even though the principal duties and responsibilities have been clarified, President Leavitt said the position clearly overlaps three, or more departments, the General Manager's, the Assistant General Manager, Planning and Design, the Acquisition Department, and Public Relations. Mr. Leavitt said he wondered if the District couldn't expect a little more from these departments, rather than spending the \$20,000-\$25,000 additional per year.

General Manager Trudeau responded that this was a coordinating job more than anything else and that the individual will be able to speak for the General Manager, relieving some of the routine responsibilities there.

Mr. Leavitt said he was sure it was a coordinating position, but in some respects this is the responsibility of the Chief of Administration. It also takes on some of the work of the legislative advocate, he said. President Leavitt said he wanted to voice his concern as he sees these costs getting greater and greater every year and at some point public agencies cannot keep putting on more and more people. They are going to have to say there is a point at which we can't do any more, and we are going to have to start putting lids on salaries, President Leavitt said. It is happening in other industries, he said.

The President then asked for a vote, and the motion passed by a vote of 5 to 1. Director Badger cast a "no" vote. Resolution No. 1977-8-214 covers the Board action, a copy of which is attached for reference.

c. Modification of Tilden Pony Ride Concession Agreement Insurance Requirements.

By the Consent Calendar motion of Director Cogswell, seconded by Director Jardin, Resolution No. 1977-8-215 was adopted by unanimous vote and modifies the Pony Ride Concession Agreement to provide for Workmen's Compensation Insurance and to assure that the Comprehensive General Liability and Bodily Injury Liability Insurance conform with the District requirements. A copy of said resolution is attached for reference.

d. Adoption of Leasing Policy for Trust Lands - Martinez Regional Shoreline.

Resolution No. 1977-8-216 covers the Board action on this Consent Calendar item. The resolution establishes a procedure, rules and regulations governing the issuance, renewal, or renegotiation of any lease or concession agreement of state tidelands at the Martinez Regional Shoreline, as required by the State Lands Commission. A copy of said resolution is attached for reference.

e. Authorization to acquire hill property at George Miller, Jr. Regional Shoreline.

Resolution No. 1977-8-217 covers the Board action on this Consent Calendar item. The resolution authorizes purchase of the Lashbrook property, a Marine View Terrace lot, for addition to George Miller, Jr. Regional Shoreline. The resolution appropriates \$3,500 to cover the purchase price, title insurance fees and closing costs. A copy of the resolution is attached for reference.

f. Authorization to notify property owners at Briones and Garin Regional Parks of District's intent to adopt Resolutions of Necessity regarding the purchase of their lands needed to develop access to said parks.

This item was removed from the Consent Calendar at the request of Director Jefferds, who suggested that the actions be handled as separate motions. Director Jefferds said she was concerned about Briones, because of the time element in informing the present owners of the land.

President Leavitt said the Board has previously voiced its concern about the District taking an action without all of the land owners being made aware of it and the general feeling is that the District should proceed with notification to land owners and then embark on negotiations before taking a position of intention to condemn. Unfortunately, Mr. Leavitt said, the District has a time bind at Briones, and Director Costa has indicated he would be more than happy to personally communicate with the landowners involved, which is a very generous offer on his part.

Director Costa stated he agreed with Director Jefferds position, but that in this instance time is of the essence, that it is very critical that the District move ahead with the project, or the District will not get the grant proceeds unless it acts. Mr. Costa said he would indeed contact with staff the list of people within a week. Director Jardin, although also agreeing with Director Jefferds comments, said that to delay would put the project back a year and therefore the Board must move at this time.

Director Badger moved for adoption of the resolution to notify property owners in the area of Briones Regional Park of the necessity to purchase private lands. Director Costa seconded the motion. Accordingly, Resolution No. 1977-8-218 was adopted by a 5 to 1 vote, with Director Jefferds casting a "no" vote. A copy of said resolution is attached for reference.

Director Jefferds moved for adoption of two resolutions regarding Garin Regional Park, one to notify the property owners of the necessity to purchase their properties, and the other to authorize a surveying agreement with Mackay & Somps, Civil Engineers, for engineering services in regard to the widening of Garin Avenue. Director Cogswell seconded the motion, which passed unanimously. Resolution Nos. 1977-8-219 and

1977-8-220 cover the Board actions, respectively, copies of which are attached for reference.

The authorization for the surveying agreement (Resolution No. 1977-8-220) was the addenda item added to the Consent Calendar are Item "i". The resolution appropriates \$4,800 for the engineering services.

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- g. Authorization to appropriate \$25,000 from Supplemental Land Fund Account No. 29-20-308) to Account No. 31-70 to pay for construction of Trail Fence along Stanley Boulevard at Shadow Cliffs Regional Recreation Area.

Resolution No. 1977-8-221 covers the Board action on this Consent Calendar item. The resolution authorizes installation of the fencing and appropriates \$25,000 for that purpose. A copy of the resolution is attached for reference.

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- h. Approval of Demands

Resolution No. 1977-8-222 covers the Board action approving the Demands for the period ending July 31, 1977, totaling \$690,110.51. A copy of said resolution is attached to these Minutes for reference.

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- i. Authorization of Surveying Agreement - Garin Regional Park for the widening of Garin Avenue.

This addenda item was added to the Consent Calendar. Resolution No. 1977-8-220 covers the Board action and was discussed in connection with Consent Calendar Item "f" (see last paragraph, page 4). Director Jefferds made the motion to authorize the surveying agreement. Director Cogswell seconded the motion, which passed by unanimous vote.

2. PLANNING AND DESIGN

- a. Award of Contracts after Bidding - Chabot Nike Site.

By the motion of Director Jardin, seconded by Director Cogswell, three separate resolutions were adopted for development at the Chabot Nike Site as follows:

- (1) Roads and Sewer Improvements - Public Safety Headquarters.

Resolution No. 1977-8-223 covers the Board action, which was adopted by unanimous vote, awarding the contract to George P. Peres Co., Richmond, California, at a total base bid, plus Alternate B, and an estimated 500 sq. ft. of road patching for \$58,672. The resolution also provides a \$1,000 contingency allowance, with a total appropriation of \$59,672. A copy of the resolution is attached for reference.

- (2) Remodeling of Public Safety Headquarters.

Resolution No. 1977-8-224 covers the Board action and awards the contract to H. W.

Construction Co., Castro Valley, for the base bid only at \$93,795. The resolution also provides a \$4,400 contingency allowance, with a total appropriation from various accounts of \$98,195. A copy of the resolution is attached for reference.

(3) Relocatable Classroom Building - Education Uses.

Resolution No. 1977-8-225 covers the purchase of the relocatable classroom building from Steelgard, Inc., Hayward, at a base bid of \$27,000. The resolution provides an allocation of \$28,600, including a \$1,600 contingency allowance, with the funds coming from the Directors Contingency Reserve, as funds for this building had not been included in the current budget. A copy of the resolution is attached for reference.

The discussion which preceded adoption of the above resolutions related to a budget summary prepared at the General Manager's request and distributed to the Board by Lewis Crutcher, Chief of Planning and Design. President Leavitt noted that the project budget was up almost 44% from original estimates. General Manager Trudeau said this was one of the reasons he had the summary prepared in order to anticipate any problems which may come up later.

In reviewing the figures, Mr. Crutcher said the contracts for remodeling of the Public Safety Headquarters at the Chabot Nike Site and the road and sewer improvements leaves a budget balance of about \$12,500. Where staff had hoped to beef up an existing classroom to Field Act standards within the budget of \$5,000, Mr. Crutcher said, the consulting engineer has advised that it cannot be brought up to standards because the building is not reinforced properly. Therefore, Mr. Crutcher said, the District was required to go outside of the original budget to acquire a classroom building to meet its commitment to the College District.

Mr. Crutcher introduced Tom Schweser, temporary Administrative Assistant for P&D, and stated that Mr. Schweser has been invaluable in pulling together the figures and that the Department is now on top of costs with much better communication with the Controller's office. Mr. Crutcher said Mr. Schweser evaluated the project bids with Mr. Kent and Don Harms and was available to answer any Board questions.

Mr. Crutcher pointed out that the awards for both the Public Safety Headquarters remodeling and the road and sewer improvements were below staff estimates, but that the original budget simply did not include all the items the District is committed to do. The Budget Summary indicated the following remaining anticipated expenditures:

Day Camp Area (bridge, tables, water, firepits, etc.)	\$65,000
Trail Improvements (one mile)	3,000
Water service rehabilitation	5,000
Electrical service to meet code requirements	15,000
Exterior painting	11,525
Landscaping, signs, etc.	3,000
Parking Lot (estimate \$22,000, Bid alternate \$15,091)	20,000
Classroom furnishings and equipment	3,000
Classroom toilet (\$31,000)	5,000
	<u>\$130,525</u>
+ contingencies (10%)	13,600
	<u>\$144,125.</u>

Mr. Crutcher said a certain amount of landscaping will be required, that the parking lot is included in the award to George P. Peres, Richmond, at a cost of \$15,091, that the toilet structure is one being moved out of Chabot by District crews to the Nike Site,

thereby reducing that cost. The trail improvements, Mr. Crutcher said, will also be done by the District's trails crew.

President Leavitt asked how many parking slots will be provided in the lot. Mr. Crutcher said the commitment to the College District is for 50 cars, striped, with bumpers and that the bumpers are available from Central Stores, but that the striping, paving and grading will be done under the Peres contract.

Director Badger asked what the total outlay will be when the center is put into operation and all the improvements completed. Mr. Crutcher estimated that another \$120,000 would complete the project, estimating the total cost at about \$300,000. Mr. Badger commented that had the Board known it was going to run \$300,000, they probably would have gone to a new building at a different location. Mr. Crutcher cautioned that a portion of the cost is going into recreation facilities at the Marina and for the day camp.

Director Jefferds asked how much was going budgetwise into Chabot and how much into Public Safety. Mr. Crutcher estimated probably \$100,000 for the Public Safety building and the balance into the recreational facilities. The costs appear as four different budgeted items, some from the old and some from the new money, Mr. Crutcher said.

General Manager Trudeau explained the project delays, one requiring the preparation of an Environmental Impact Report which took about nine months, and the second delay occurred when the District had high hopes of getting the project done under the President's work crew program. Meanwhile, Mr. Trudeau said, costs have gone up and was the reason he asked for a budget summary.

Director Jardin commented that the District has already felt the benefits of the Chabot Nike Site from being able to take the maintenance shed out from the marina and the fact that the integrity of the lake is going to be preserved the way it is, with the development taking place on the College District property. Although stating that he was sorry to see the costs going it, Director Jardin felt that the money will be well spent.

As there was no further discussion, President Leavitt asked for a vote on the motion approving the three resolutions, which passed unanimously, as noted on pages 5 and 6 of these Minutes.

b. Presentation and approval of Land Use-Development Plan/EIR for Redwood Regional Park.

Landscape Architect Peter Koos presented this item, advising that a 25 page document, which was an attachment to the original draft document of 45 pages, had been submitted in the Board packet. The two documents combined make up the final EIR for the Land Use-Development Plan for Redwood Regional Park, Mr. Koos said. Virtually nothing is being changed in Redwood, Mr. Koos said, but simply organizing what is there to improve the circulation and resolve the parking problems.

Director Badger moved for approval of the project and the filing of a Notice of Determination. Director Costa seconded the motion. Accordingly, Resolution No. 1977-8-226 was adopted by unanimous vote, a copy of which is attached to these Minutes for reference.

3. LAND ACQUISITIONa. Approval of License Agreement with City of Oakland - Skyline National Trail.

Based on the information contained in the Board packet, Director Badger moved for approval of the license with the City of Oakland for a portion of the Skyline Trail crossing lands owned by the City. Director Jefferds seconded the motion. Resolution No. 1977-8-227 covers the Board action, a copy of which is attached for reference.

4. OPERATIONSa. Approval of Finance Committee Report on Merit Step Increases for Management.

Director Jardin, Chairman of the Finance Committee, in making the motion to adopt the management salary administration guidelines, stated they were developed by the committee to provide a fair and straight forward system to handle management salaries. Mr. Jardin said the guidelines take into consideration the concerns of a number of Directors about the differences in job performance of individuals. These, he said, are reflected in the increment steps and include the half step, as suggested by the Board.

Under the proposed guidelines, Mr. Jardin said, if an employee is doing a satisfactory job, he gets one step, if he or she needs a little boosting, the half step is there as a tool to help management with their people. If a person is doing an outstanding job, there is the opportunity for 1-1/2 steps, he said.

Director Jardin said the guidelines provide that merit increases of 1/2 step or 1 step would not require Board approval. However, he said, all merit increases of 1-1/2 steps or above Salary Step "e", would require Board approval and would require performance appraisals. Cost of living adjustments in any salary range, Mr. Jardin said, would also be subject to Board approval.

President Leavitt asked if the intent of a merit step increase was to recognize outstanding performance. Mr. Jardin explained that in keeping with the Arthur Young study when a person comes in at the entry level and is doing a satisfactory job, each year they should get one step, or the half step. President Leavitt asked if the committee considered quarter steps. Director Cogswell replied that the committee did discuss things on a percentage basis and dollar values, but the complexity of trying to keep records with management people being at the various salary levels was too great.

Director Badger asked what the rationale was for the 1-1/2 steps. Director Jardin said that this was for outstanding performance and again stated that a merit increase on this basis would require Board approval.

Director Cogswell seconded the motion to adopt the guidelines. Accordingly, Resolution No. 1977-8-228 was adopted by unanimous vote, a copy of which is attached for reference. The resolution provides for seven policy guidelines formalizing the process of management salaries.

b. Approval of Benefits for Management Employees.

This item had been deleted from the agenda at the request of staff.

5. MISCELLANEOUSa. Report on Special District Forum and National Association of Counties Meeting.

This item was carried over to the next Board meeting to accommodate BART people who had indicated that another meeting was scheduled for 5:00 p.m. in the Board Room.

b. Showing of "Trails for Today and Tomorrow" by George Cardinet.

A series of color slides, accompanied by a recorded description of the slides and background music, was presented by George Cardinet, a member of the East Bay Trails Council, the Park Advisory Committee of the District, as well as a member of the Land Use Committee of the American Horse Council.

The presentation was entitled "Trails for Today and Tomorrow", with the slides depicting the different kinds of trails, both in the regional parks and other areas that are possible through mutual cooperation.

The purpose of the documentary, commissioned by the American Horse Council, and produced by George H. Cardinet and Sharon Saare, was, as Mr. Cardinet said, "to reverse the trend of permissiveness that tolerates irresponsible growth without reckoning the price in lowered environmental quality and accompanying moral deterioration. A primary step is to reestablish open space in our urban areas, preserve an open space policy in the balance of our country and to develop therein paths and trails that will give man access to nature and thus he may gain back the way of life that is his heritage."

Following the presentation, the Board complimented Mr. Cardinet and Ms. Saare for the super job in putting the material together and for the excellence of the slides showing what is being done and can be done, not only in the regional parks, but also in the East Bay Municipal Utility District watershed and other areas toward accomplishing the goals of the project.

General Manager Trudeau asked if prints would be available for District use. Mr. Cardinet advised that prints would be available within the next few weeks and that meanwhile they would be happy to loan the District a master set.

c. Report on Agreements Necessary for the Development of Briones to Mt. Diablo Regional Trail.

Assistant Chief of Acquisition Bill Gries reported on the progress made in the development of a regional trail from Briones to Mt. Diablo State Park. In his opening comments, Mr. Gries stated it was a most appropriate act to follow the trails program presented by Mr. Cardinet, which was an inspiration for the District to continue to move ahead and accomplish a linear park such as is proposed in many areas of the District.

Mr. Gries stated that the trail between Briones and Mt. Diablo is part of the District's Proposition 2 application with the State Department of Parks and Recreation, and reviewed the various steps taken by staff which included a field trip with citizens in the area for input, a public workshop at Northgate High School in Walnut Creek, and the scheduled public hearing on the Environmental Impact Report and Draft EIR set

for Thursday, August 18, following the Tuesday, August 16 Board meeting.

Mr. Gries then proceeded to take the Board on a guided map tour of the proposed trail of about 13 miles, in segments, coming out of Briones Regional Park down Lafayette Ridge through property given to the District by the City of Lafayette on to Pleasant Hill Road, across Skyrmont Development property to Mokelumne Aqueduct and on to Geary Road for a short distance before entering the Contra Costa Canal right of way, thence on through Heather Farms Park in Walnut Creek and across Ygnacio Valley Road to the Ygnacio Canal right of way, across private property on its way to Shell Ridge, Diablo Foothills and on into Mt. Diablo State Park.

Mr. Gries reported on the various agreements, approvals and acknowledgments that will be required from other public agencies in order to develop this trail. Mr. Gries said the District is in close contact with all of the agencies involved as well as the County Planning Department on this project, so that they are all aware of the District's plans.

Mr. Gries said there was a problem with the intersection of Ygnacio Valley Road and the road heading into Heather Farms Park, as it is a major traffic area with a lot of cross traffic to deal with. Mr. Gries said the District will also have to deal with six or eight different private properties in the area from Ygnacio Canal to Shell Ridge Open Space. Other problem areas, Mr. Gries said, included the resident problem areas along Contra Costa Canal, the Ygnacio Road Intersection and possible use of the Catholic Church property.

Mr. Gries said staff hoped to come back with a full package after the Draft EIR is approved and staff is given the go ahead to finalize all the agreements.

President Leavitt commented that staff has done an admirable job on this project, which has a September 15 deadline for the funding. Mr. Gries said the next key date is the public hearing on August 18 after which staff will be able to move ahead on the agreements.

Director Jefferds noted that portions of the trail will be along canal rights of way and wondered how much fencing will be required. Mr. Gries estimated about four miles of fencing, which, if cyclone fencing is required, may run \$3.00 a lineal foot, or more.

E. ADDENDA TO AGENDA

Refer to Consent Calendar Items "f" and "i", pages 4 and 5 of these Minutes.

F. COMMUNICATIONS

General Manager Trudeau noted a resolution from the Oakland City Council authorizing the transfer of \$80,000 in 1974 State Park Bond funds to the San Leandro Bay project, which passed by a 5 to 0 vote. Mr. Trudeau also advised that the Alameda County Board of Supervisors approved the transfer, by a 5 to 0 vote, and that a letter has gone to the legislature, so that the District will be getting the funds this year, instead of next.

Although a number of communications had been received and sent to the Board, none required specific Board action.

G. COMMENTS: GENERAL MANAGER, BOARD, PUBLIC

General Manager Trudeau called attention to two public hearings, the one mentioned by Bill Gries, with the date corrected to August 18, on the Briones to Mt. Diablo Trail at the Northgate High School in Walnut Creek, and the public hearing following the Tuesday Board meeting, August 16, at 7:30 p.m. on the Development of Briones Regional Park to be held at the Diablo Valley Community College, 321 Golf Club Road, Pleasant Hill.

Mr. Trudeau also invited the Directors to meet with Phillip Chabot regarding a proposal which he will present to the District to assist the District in Washington, D.C.

Mr. Trudeau also reported on the serious fire situation and complimented the Fire Chief and the volunteers for the efficient and quick way they handled the fire at Las Trampas.

New employees who attended the meeting were also introduced to the Board. These included Ken Robey, the replacement for Bob Nuzum, Ray Flores, the new Zone Manager for Zone 4 (Kennedy Grove, Point Pinole, George Miller, Brooks, Point Isabel), Carleen Bruines and Tracy Ann Gibbons, both of whom are on the staff at Black Diamond Mines Regional Preserve.

David W. Lubkert of the Canal Neighbors Improvement Association, urged the Board Members to find the time to actually tour the canal area so that they could see first hand the problems of the adjacent home owners. Mr. Lubkert said he would personally be glad to take any of the Directors on a tour, along with members of staff, and gave his phone number for any of the Directors to call and set a time.

H. ADJOURNMENT

As there was no other business to come before the Board, the meeting adjourned at 4:30 p.m.

Respectfully submitted

Harold R. Luhtala, Secretary

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-214

August 2, 1977

AUG -5 1977

EBRPD
CONTROLLER

APPROVAL OF JOB DESCRIPTION AND SALARY GRADE - EXECUTIVE ASSISTANT

WHEREAS, staff has demonstrated the need to establish the job description and salary grade for the middle management position of Executive Assistant;

NOW, THEREFORE, BE IT RESOLVED that the job description and salary grade for Executive Assistant is hereby established as follows:

EXECUTIVE ASSISTANT

Reports to:

General Manager

GENERAL FUNCTIONS:

Under the direction of the General Manager provides staff assistance in analyzing, developing and implementing procedures for a wide variety of relationships outside the District including direct public input and legislative coordination.

PRINCIPAL DUTIES and
RESPONSIBILITIES:

Conducts complex administrative studies and analysis which typically involve extensive advanced planning and scheduling on assigned projects which are normally received in broad outline. Plans and conducts studies including problem identification, determination of study approach and technique, development of source material, formulation of recommendations and report preparation. Board material responsibility includes coordination and follow-up of item preparation and submission, preparation and review of resolutions and providing post Board meeting follow-up material to appropriate recipients.

Coordinates the District's legislative program at the State level with the District's Legislative Advocate including review of State legislative proposals not covered as an ordinary part of the Legislative Advocate's duties. Serves as staff representative to the Board Legislative Committee. Testifies before legislative bodies as needed on District related matters, representing the General Manager. Reviews federal legislative proposals so as to identify those that affect the District. On legislation thus identified provide analysis of content and consequences, describe course and timing and provide alternative courses of action for consideration.

Assumes full coordinative responsibility for District programs which require public hearings. This involves coordination with governmental agencies and business, conservation, community, ethnic, and user groups. Acts as facilitator or meeting leader at public planning meetings, and handles follow-up with interested citizens or groups.

Services and answers communications directed to the General Manager's office. Attends meetings and conferences on behalf of the General Manager and District and provides administrative support to the General Manager and Assistant General Manager.

MINIMUM QUALIFICATIONS:

Education: A Bachelor's Degree from a recognized college or university, with major work in Public Administration, Park Management or related field

and

Experience: Four years of experience in a park or other governmental agencies with duties and responsibilities similar to those outlined above.

Working knowledge of administrative techniques including principles of park organization and budgeting; working knowledge of techniques of administrative analysis; ability to gather and analyze data; ability to interpret rules and regulations; ability to write and organize reports; ability to work harmoniously with departmental personnel; interest and aptitude for administrative work.

Alternate Pattern
of Education and
Experience:

One year of graduate training in recreation or public administration in a recognized college or university may be substituted for one year of required experience.

A currently effective and valid driver's license is a condition of initial and continued employment in this classification.

SALARY RANGE

	<u>a</u>	<u>b</u>	<u>c</u>	<u>d</u>	<u>e</u>	<u>f</u>	<u>g</u>
<u>Grade 5:</u>	\$19,417	\$20,321	\$21,272	\$22,270	\$23,316	\$24,417	\$25,572

Moved by Director Howard L. Cogswell, seconded by Director Mary Lee Jefferds, and adopted this 2nd day of August, 1977, by the following vote:

FOR: Directors Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST: Directors none.
ABSENT: Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-215

August 2, 1977

MODIFICATION OF TILDEN PONY RIDE CONCESSION AGREEMENT

WHEREAS, pursuant to Resolution No. 1976-5-139, dated May 18, 1976, this Board authorized the President and Secretary to execute a renewal of Concession Agreement for Pony Ride Concession Contract at Tilden Regional Park with Mr. and Mrs. David Horn for a term of five years, from May 18, 1976 through May 17, 1981; and

WHEREAS, staff and the Concessionaire now desire to modify said Agreement as set forth below, and the staff has demonstrated that such modification is in the best interests of the District;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby directed to execute and deliver on behalf of the District a form of Modification Agreement to the Tilden Park Pony Ride Concession Agreement providing for:

1. Workmen's Compensation Insurance as required by the laws of California.

2. Comprehensive General Liability applicable to all operations, including the use of owned and non-owned motor vehicles, Contractual Liability insuring the indemnity provisions of this Agreement, and Products Liability providing Bodily Injury Liability limits of \$100,000 per person and \$300,000 each occurrence, and Property Damage Liability limits of \$50,000 each occurrence. Such insurance shall be endorsed to provide that as respects coverage afforded on behalf of the District, such coverage shall be primary insurance and any other insurance available to District under any other policies shall be excess over the insurance required hereby.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 2nd day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-216

August 2, 1977

ADOPTION OF LEASING POLICY - MARTINEZ REGIONAL SHORELINE

WHEREAS, pursuant to Chapter 815, Statutes 1976 (the "Enabling Legislation"), the State of California, through the State Lands Commission, did convey by lease to the East Bay Regional Park District certain tidelands for the creation of the Martinez Regional Shoreline; and

WHEREAS, pursuant to Section 7(a) of the Enabling Legislation, this Board is required to develop and submit to the State Lands Commission for its approval, a procedure, rules, and regulations to govern the issuance, renewal, or renegotiation of any lease or concession of such state tide and submerged lands; and

WHEREAS, the General Manager has developed a form of such procedures, rules, and regulations after consultation with the staff of the State Lands Commission;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Title. The following shall be known as the "Leasing and Concessionaire Regulations for Martinez Regional Shoreline."

2. Conditions Precedent. Any lease or concession to be granted by District upon lands in Martinez Regional Shoreline shall be of statewide public benefit and in full compliance with each of the following:

- a. The Enabling Legislation;
- b. The Master Agreement between the City of Martinez and the District;
- c. The District's Martinez Waterfront Phase 2 Land Use Plan, Revised and Approved April 20, 1976, and May 17, 1977; and
- d. California statutory provisions assuring balance between fish and wildlife resources and environment, nature study, recreational activities, public navigation, fishing, and selected development.

3. Proposals. All proposed leases or concessions for the Martinez Regional Shoreline shall be awarded only after having been processed and solicited in accordance with the following:

- a. After having consulted with available persons having relevant expertise, the General Manager shall cause to be prepared a form of lease or concession agreement and invitation to submit proposals.
- b. The matter shall then be placed on an agenda for consideration by the Board of Directors for approval to advertise for proposals.

- c. Following Board approval, the invitation to submit proposals shall be advertised in the local edition of the Wall Street Journal and in appropriate local daily newspapers and trade journals as determined by the General Manager.
- d. The invitation to submit proposals shall also be communicated to all other potentially qualified persons whose interest is then known to the District.
- e. Under normal circumstances, the documentation made available to each potentially qualified and interested lessee or concessionaire would include a statement of general information concerning the facility to be operated, a copy of the resolution of the Board of Directors authorizing the solicitation proposals, the form of proposed lease or concessionaire agreement with the amount of rental or concessionaire's fees left blank, and a proposer's checklist. Normally each proposer will be required to provide with his proposal a bid bond of \$500, a statement of qualifications and experience, current financial statements, and such other materials as the General Manager may reasonably deem relevant and appropriate.
- f. Normally proposals will be invited on the basis of a percentage of gross income absent compelling reasons to the contrary. Proposals shall be submitted in sealed envelopes and opened by a designee of the General Manager in public at a time to be specified in the invitation for proposals.
- g. Normally, no such lease or concession shall be awarded sooner than 30 days after completion of the foregoing advertising and notification of interested parties; however in unusual circumstances that time period may be reduced to a minimum of two weeks.
- h. Selection of the lessee or concessionaire shall not necessarily be on the basis of the lowest economic proposal, but such factors as prior experience, financial stability, special qualifications, and a proposed program to serve the public shall also be taken into consideration. The final selection shall be made by the Board of Directors in open session at a regular or special meeting pursuant to a specific agenda item. In no event shall any proposer be discriminated against on the basis of race, religion, sex, age, or national origin.

The General Manager may authorize and recommend minor variations from the foregoing procedures and requirements as reasonably dictated by current market and special conditions, not involving any policy change, reduction of public notice, conflict with the public trust, Enabling Legislation, Master Agreement, or Land Use Plan unless first submitted to and approved by the State Lands Commission pursuant to Section 7(a) of Enabling Legislation.

4. Lease or Concession Agreement. In general, the form of the lease or concession agreement and specifications shall be modeled on the form used for the food, boating, and fishing concession for Contra Loma Regional Recreation Area, as such format shall be updated by this Board from time to time. There shall be added thereto appropriate provisions requiring indemnification of the State of California similar to that now offered to the District under such form and a

August 2, 1977

clause requiring designation of the State of California as an additional insured. An additional clause shall also be added to any map or description indicating that it does not purport to show boundaries of State interest.

5. Renewal of such Leases or Concessions. Lease or concession agreements adopted pursuant to the foregoing, may be renewed by this Board upon the same or different economic and other terms without compliance with paragraph 3 above, provided the lessee or concessionaire has fully complied with the lease or concession agreement during the preceding term.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 2nd day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-217

August 2, 1977

AUTHORIZATION TO PURCHASE MARINE VIEW TERRACE PROPERTY AT GEORGE MILLER, JR.
REGIONAL SHORELINE - LASHBROOK

WHEREAS, by Resolution No. 1976-3-52, adopted March 16, 1976, the East Bay Regional Park District Board of Directors authorized the negotiation of agreements of purchase with private owners of Marine View Terrace lots at George Miller, Jr. Regional Shoreline; and

WHEREAS, an Acquisition Evaluation Report on said lots was accepted by Resolution No. 1976-3-53, adopted March 16, 1976, by this Board; and

WHEREAS, Staff has heretofore presented to the Board Step 1 of the Parkland Planning Sequence Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy on the subject property, all in accordance with the District Master Plan; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA; and

WHEREAS, an agreement for purchase and sale of property has been executed by Loran D. Lashbrook and Carolyn Lashbrook for property in the City of Richmond described as Lot 1, Block 7, Marine View Terrace, said Lot being a portion of those approved for acquisition by the Board and according to terms approved by this Board under the cited resolutions;

NOW, THEREFORE, BE IT RESOLVED that this Board authorizes and directs the President and Secretary to execute the Agreement for Purchase and Sale of Property offered by Loran D. Lashbrook and Carolyn Lashbrook as presented to the Board this date, subject, however, to District compliance with Government Code Section 65402, and to accept an executed deed for said property, and the General Manager is directed to file same in the Official Records of Contra Costa County; and

BE IT FURTHER RESOLVED that the sum of \$3,500.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-71 to pay the purchase price, title insurance fees, and escrow costs for this transaction.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 2nd day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-218

August 2, 1977

AUTHORIZATION TO NOTIFY PROPERTY OWNERS AT BRIONES REGIONAL PARK OF DISTRICT'S
INTENT TO ADOPT RESOLUTIONS OF NECESSITY FOR PURCHASE OF PRIVATE LANDS

WHEREAS, the Park District is applying for funds from the Proposition 2 grant program, which funds are to be used in part for the development of the north end of Briones Regional Park; and

WHEREAS, it is imperative that a vehicular access to the north end of Briones Regional Park be provided to serve the area proposed for development with such funds; and

WHEREAS, the Board has determined that certain private properties must be acquired for the routing of said access road and that same should be purchased by negotiation and, if necessary, by condemnation;

NOW, THEREFORE, BE IT RESOLVED that the General Manager is directed to give the notices to each person whose property is affected by the proposed Briones Regional Park access road as required by Section 1245.235 of the California Code of Civil Procedure, stating that the meeting of this Board at which each such person has the right to appear and be heard is scheduled for 2:00 p.m., August 16, 1977, at BART Headquarters, 800 Madison Street, Oakland, California.

Moved by Director Paul J. Badger, seconded by Director Walter H. Costa, and adopted this 2nd day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, and John J. Leavitt.
AGAINST:	Director Mary Lee Jefferds.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-219

August 2, 1977

AUTHORIZATION TO NOTIFY PROPERTY OWNERS AT GARIN REGIONAL PARK OF DISTRICT'S
INTENT TO ADOPT RESOLUTIONS OF NECESSITY FOR PURCHASE OF PRIVATE LANDS

WHEREAS, the Park District is applying for funds from the Proposition 2 grant program, which funds are to be used in part for the development of Garin Regional Park; and

WHEREAS, it is imperative that Garin Avenue, serving Garin Regional Park, be widened so as to accommodate the expected increase in traffic which will occur when the park is officially opened; and

WHEREAS, the Board has determined that certain private properties must be acquired for the widening of Garin Avenue and that same should be purchased by negotiation and, if necessary, by condemnation;

NOW, THEREFORE, BE IT RESOLVED that the General Manager is directed to give the notices to each person whose property is affected by the proposed Garin Regional Park road widening as required by Section 1245.235 of the California Code of Civil Procedure, stating that the meeting of this Board at which each such person has the right to appear and be heard is scheduled for 2:00 p.m., August 16, 1977, at BART Headquarters, 800 Madison Street, Oakland, California.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 2nd day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-220

August 2, 1977

AUTHORIZATION OF SURVEYING AGREEMENT - GARIN REGIONAL PARK
FOR THE WIDENING OF GARIN AVENUE

WHEREAS, it has been determined that it will be necessary to widen Garin Avenue for access to Garin Regional Park; and

WHEREAS, the required right of way must be identified and acquired;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The President and Secretary are hereby authorized to execute and deliver on behalf of the District an agreement with Mackay & Soms, Civil Engineers, 1955 The Alameda, San Jose, for engineering services consisting of surveying and preparation of a record plat and related services, for fees not to exceed \$4,800.00 and otherwise upon terms approved by the General Manager and District Counsel.
2. The sum of \$4,800.00 is hereby appropriated from the Supplemental Land Fund Account No. 29-20-308, to Project Account No. 31-72, to defray the costs of such project.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 2nd day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-221

August 2, 1977

AUTHORIZATION TO APPROPRIATE FUNDS TO CONSTRUCT FENCING ALONG
STANLEY BOULEVARD TRAIL - SHADOW CLIFFS REGIONAL RECREATION AREA

WHEREAS, by Resolution No. 4101, adopted September 5, 1972, and by Resolution Nos. 1976-9-245 and 1976-2-246, both adopted September 7, 1976, this Board authorized acceptance of grant deeds to property which is intended to be used in the development of the Stanley Boulevard Bicycle and Hiking Trail; and

WHEREAS, title to the properties described in said deeds was transferred subject to the condition that the Park District landscape and install fencing along the trail; and

WHEREAS, existing fencing separating this right-of-way from adjacent quarries was removed without the knowledge of District personnel and the owners of the adjacent quarry property have notified the District that the new fencing must be installed immediately to bar access by the public to the hazards of the quarries; and

WHEREAS, it is incumbent on the Park District to take immediate action to fence the properties to avoid exposure to public liability claims;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. This Board finds that access of the public from its property to the adjacent quarry properties and the hazards there constitutes an emergency that must be promptly rectified by installation of the required fencing without delaying the time formal bidding procedures would require; and
2. The President and Secretary are hereby authorized to execute and deliver for the District a contract with the fencing contractor (or subcontractor) of Alameda County on its Stanley Boulevard widening project to install the new fencing required for the District's Trail property there on the same basis as the County fencing is being installed.
3. The sum of \$25,000 is hereby allocated from the Supplemental Land Fund, Account No. 29-20-308, to Project Account No. 31-70, to defray the expense of the contract authorized in Paragraph 2, above.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 2nd day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-222

August 2, 1977

APPROVAL OF DEMANDS - July 31, 1977

BE IT RESOLVED that the items set forth and as presented in the Demand Register for the period ending July 31, 1977, totaling \$690,110.51, are hereby approved and authorized for payment.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 2nd day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-223

August 2, 1977

AWARD OF CONTRACT AFTER BIDDING - ROADS AND SEWER IMPROVEMENTS AT THE
PUBLIC SAFETY HEADQUARTERS, ANTHONY CHABOT REGIONAL PARK

WHEREAS, the call for bids was published in the Oakland Tribune, Contra Costa Times, Hayward Daily Review and Daily Pacific Builder on June 24, 1977; and

WHEREAS, six timely bids were received and opened on July 15, 1977, as set forth in the following summary of bids:

Bidder	Base Bid	Alternates		Unit Price 1 for Est. 500 sq. ft. road patching	Total Base Alt. B and Unit Price 1
		A	B		
George P. Peres Co. Richmond	\$57,072	\$15,091	\$ 850	\$1.50 (\$ 750)	\$58,672
Nima Corporation San Lorenzo	57,222	16,316	1,077	1.52 (\$ 760)	59,059
McGuire & Hester Oakland	72,500	9,950	500	2.00 (1,000)	74,000
Ferma Corporation Mountain View	75,500	13,500	820	5.00 (2,500)	78,820
O.C. Jones & Sons Berkeley	76,500	12,725	665	3.00 (1,500)	78,665
Eugene G. Alves Constr. Co., Inc., Pittsburg	77,848	15,083	1,089	2.00 (1,000)	79,937

WHEREAS, staff has recommended acceptance of the Base Bid, plus Alternate B and the Unit Price; and

WHEREAS, the District estimate for this work was \$67,716 and the lowest responsible bid for such Base Bid, Alternate and Unit Price 1 was in the aggregate sum of \$58,672 by George P. Peres Co., Richmond, California; and

WHEREAS, the sum of \$60,864 (Account No. 16-02) and the sum of \$79,161 (Account No. 34-89) is appropriated in the FY 1977/78 Budget for this and other projects, \$3,343 thereof having heretofore been allocated to pre-bid expenses and to other projects;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bid by District Counsel, the President, Secretary and General Manager are each hereby directed to take all appropriate action to award a contract to such low bidder in accordance with this resolution and the call for bids in the amount of the low bid; and

BE IT FURTHER RESOLVED that \$29,836 be provided from Project Account No. 16-02 (which includes a \$500 contingency allowance) and \$29,836 be provided from Project Account No. 34-89 (which includes a \$500 contingency allowance) for this contract.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 2nd day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-224

August 2, 1977

AWARD OF CONTRACT AFTER BIDDING - REMODELING OF THE PUBLIC SAFETY
HEADQUARTERS, ANTHONY CHABOT REGIONAL PARK

WHEREAS, the call for bids was published in the Oakland Tribune, Contra Costa Times, Hayward Daily Review and Daily Pacific Builder on June 24, 1977; and

WHEREAS, five timely bids were received and opened on July 15, 1977, as set forth in the following summary of bids:

Bidder	Base Bid	Alternates					Total Bids Plus All Alternates
		A-1	A-2	A-3	A-4	A-5	
H. W. Construction Co., Castro Valley	\$93,795	\$6,350	\$1,750	\$2,000	\$1,000	\$425	\$105,320.00
Wesley A. Thomas Co., Inc., Lafayette	98,800	6,500	2,000	2,400	1,000	400	111,100.00
Vitton Construction Co., Castro Valley	99,777	7,101	1,833	2,685	1,150	500	113,046.00
Red Feather Construction, Inc., Hayward	100,982	6,500	1,800	2,700	1,250	500	113,732.00
Wilco Construction, Lafayette	104,900	6,000	2,000	1,900	1,000	500	116,300.00

and

WHEREAS, staff has recommended acceptance of the Base Bid only; and

WHEREAS, the staff estimate for this work was \$110,754 and the lowest responsible bid for such Base Bid was \$93,795 by H. W. Construction Co., Castro Valley, California ("low bid"); and

WHEREAS, the sum of \$60,864 is appropriated in the FY 1977/78 Budget (Account No. 16-02), the sum of \$21,584 is appropriated in the FY 1977/78 Budget (Account No. 16-08), and the sum of \$79,161 is appropriated in the FY 1977/78 Budget (Account No. 34-89) for this and other projects, \$63,356 thereof having heretofore been allocated to pre-bid expenses and to other projects;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bid by District Counsel, the President, Secretary, and General Manager are each hereby directed to take all appropriate action to award a contract to such low bidder in accordance with this resolution and the call for bids in the amount of the low bid; and

BE IT FURTHER RESOLVED that \$27,949 be provided from Project Account No. 16-02 (which includes a \$1,275 contingency allowance), \$21,242 be provided from Project Account No. 18-08 (which includes a \$925 contingency allowance) and \$49,004 be provided from Project Account No. 34-89 (which includes a \$2,200 contingency allowance) for this contract.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 2nd day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-225

August 2, 1977

AWARD OF CONTRACT AFTER BIDDING - RELOCATABLE CLASSROOM BUILDING FOR THE
PUBLIC SAFETY HEADQUARTERS, ANTHONY CHABOT REGIONAL PARK

WHEREAS, the call for bids was published in the Oakland Tribune, Contra Costa Times, Hayward Daily Review and Daily Pacific Builder on June 24, 1977; and

WHEREAS, three timely bids were received and opened on July 15, 1977, as set forth in the following summary of bids:

<u>Bidder</u>	<u>Base Bid</u>
Steelgard, Inc., Hayward	\$27,000
Terrace Enterprises, Inc., Newark	29,810
Wesley A. Thomas Co., Inc., Lafayette	43,000 ; and

WHEREAS, the staff estimate for this project was \$36,000, and staff has recommended acceptance of the low bid; and

WHEREAS, the lowest responsible bid was \$27,000 by Steelgard, Inc., Hayward, California; and

WHEREAS, no funds have been budgeted or appropriated for this project;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bid by District Counsel and approval of the Plans and Specifications by the Office of the State Architect, the President, Secretary and General Manager are each hereby directed to take all appropriate action to award a contract to such low bidder in accordance with this resolution and the call for bids in the amount of the low bid; and

BE IT FURTHER RESOLVED that the sum of \$28,600 (which includes a \$1,600 contingency allowance) is hereby appropriated from the Board of Directors Contingency Reserve (Account No. 1-10-561) to Project Account No. 18-13 for this project to cover its costs and the incidental expenses relating thereto.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 2nd day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-226

August 2, 1977

DETERMINATION TO PROCEED FOLLOWING FINAL EIR FOR PROJECT KNOWN AS LAND USE-
DEVELOPMENT PLAN AT REDWOOD REGIONAL PARK

WHEREAS, under the direction of Lewis P. Crutcher, Chief of Planning and Design, Staff has prepared a Final EIR for the Project known as Land Use-Development Plan at Redwood Regional Park; and

WHEREAS, Staff has presented and the Board has reviewed and considered the Final EIR this date; and

WHEREAS, a Draft EIR was prepared for the Project and circulated to all agencies having jurisdiction by law, the appropriate clearinghouse and public agencies, individuals, and libraries as listed on the Final EIR, on April 15, 1977; and

WHEREAS, following public notice, public hearings on the Draft EIR and Land Use-Development Plan were held on Wednesday, May 11, 1977 at the Skyline High School in Oakland; and

WHEREAS, all comments and recommendations received on the Draft EIR, and the District's response to significant environmental points raised thereby have been incorporated into the Final EIR and considered by this Board;

NOW, THEREFORE, BE IT RESOLVED that this Board certifies that this Final EIR has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) and with the State and Park District Guidelines which implement CEQA; and

BE IT FURTHER RESOLVED that this Board finds that the Project will not have a significant effect, in fact, will have a substantial positive impact on the environment; and

BE IT FURTHER RESOLVED that the Project is hereby approved and the General Manager is directed to proceed with the Project; and

BE IT FURTHER RESOLVED that the Environmental Coordinator is hereby directed to file a Notice of Determination for this Project, in the Office of the County Clerk of Alameda County, and with the Secretary for Resources, if appropriate, by August 3, 1977.

Moved by Director Paul J. Badger, seconded by Director Walter H. Costa, and adopted this 2nd day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-227

August 2, 1977

ACCEPTANCE OF LICENSE FOR A PORTION OF THE SKYLINE TRAIL CROSSING LANDS
OWNED BY THE CITY OF OAKLAND (LOTS 1671 AND 1672, FORESTLAND HEIGHTS)

WHEREAS, the City of Oakland, as Licensor, has tendered a license to the District granting the right to route a portion of the Skyline Trail across lots owned by the City of Oakland, namely Lots 1671 and 1672 of Forestland Heights; and

WHEREAS, the General Manager and District Counsel have approved the form and content of said License, and this Board has reviewed the terms and obligations of the District under said License and finds that the acquisition of the License is in the best interests of the District; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that the License agreement with the City of Oakland for a portion of the Skyline Trail, tendered by the City and presented to the Board this date is hereby formally accepted; and

BE IT FURTHER RESOLVED that the President and Secretary are hereby directed to execute and deliver said License on behalf of the District.

Moved by Director Paul J. Badger, seconded by Director Mary Lee Jefferds, and adopted this 2nd day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-228

August 2, 1977

ADOPTION OF MANAGEMENT SALARY ADMINISTRATION GUIDELINES

WHEREAS, the Board Finance Committee has reviewed the administration of management salaries; and

WHEREAS, formal guidelines will serve to formalize the process of administration of management salaries;

NOW, THEREFORE, BE IT RESOLVED that the following policy guidelines are hereby adopted for salary administration of the management job classifications specified in Resolution No. 1977-4-111, as follows:

1. The average of all merit increases in any budget year shall not exceed one step in the salary range.
2. Individual merit increases may be in increments of 0 step, 1/2 step, 1 step, or 1-1/2 steps.
3. Merit increases after July 1, 1977 shall be effective only on the employee's anniversary date of employment, subject to prior completion of a performance appraisal.
4. Merit increases of 0 step, 1/2 step and 1 step shall not require Board approval.
5. All merit increases of 1-1/2 steps, or to above salary step "e", shall require individual Board approval.
6. Performance appraisals need not be reviewed by the Board except in connection with merit increases described in Item 5 above and those prepared by the General Manager.
7. Cost of living adjustments to any Salary Range shall require Board approval.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 2nd day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

August 16, 1977

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-201

August 16, 1977

REC 12 1977
EBRPD
CONTROLLER

DECLARATION OF DISTRICT EQUIPMENT AS SURPLUS AND AUTHORIZING SALE OF SAME
ALONG WITH UNCLAIMED PROPERTY IN POSSESSION OF THE DISTRICT

WHEREAS, by presentation this date, staff has demonstrated that certain items of District equipment are surplus to District needs; and

WHEREAS, there are also items of unclaimed property in possession of the District which have been held for more than six months; and

WHEREAS, staff proposes to dispose of such surplus District equipment and unclaimed property at a public auction on August 20, 1977, and announcement of such public auction will be published in a newspaper of general circulation in the District and by mailing notice of same to a list of established bidders' cards;

NOW, THEREFORE, BE IT RESOLVED that this Board finds that the items of equipment described in the attached list are unnecessary for the purposes of the District and are hereby declared surplus; and

BE IT FURTHER RESOLVED that the General Manager is hereby authorized and directed to dispose of such surplus equipment, and all unclaimed property in possession of the District held for more than six months, at public auction for the high written or oral bids for cash; and

BE IT FURTHER RESOLVED that the General Manager is hereby authorized to accept the highest bid for each item or group of items or to reject any or all bids on such property, and to waive any informalities, irregularities, or defects in any bid where such a waiver is in the best interests of the District; and

BE IT FURTHER RESOLVED that the proceeds of such sale shall be deposited in the General Fund and used for general purposes of the District.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

ITEMS FOR DISTRICT AUCTION: UNCLAIMED PROPERTY

MISC. ITEMS

Woman's Yellow Metal Timex Watch w/White Metal Band
Woman's Yellow Metal Elgin Watch w/Yellow Metal Band
Blue Stone & Red Stone Necklace
White Metal Bracelet
Man's Navy Ring w/Blue Stone
Man's Yellow Metal 1971 School Ring
Child's White Metal Timex Watch w/Black Leather Band
Woman's Yellow Stone Timex w/Brown Leather Band
Woman's Blue Stone Ring

RADIO EQUIPMENT

Property No. 5309 Alameda Co. Sheriff/Yellow Chan. Ser. No.: 1063
Property No. 5367 Alameda Co. Sheriff/Yellow Chan. Ser. No: B-641868
Property No. 5390 COCO 3 Ser. No: None Type: 2442
Property No. 5394 Base Station /L1 Model No. T-1203A
Property No. 5399 Remote Control/L1&L2 Ser: C-46060 Model: T-1200A
Property No. 5340 Park Chan L2/Handi-talkie (Large Port) Ser.No: B-634263
1 Lot of Obsolete Tube Type Transceivers.

TAPE RECORDERS:

Tape Recorder, Ser.No. 620725 117V AC 35 Watts/60cy
Tape Recorder, Stenorette type A12T7 Ser.No. 209032

BICYCLE EQUIPMENT

Boy's White 10-speed Ser. No. DC99223
Boy's Purple AMF Roadmaster, no serial No.
Girl's Blue Schwin - no serial no.
Boy's Blue 20" - no serial no.
Boy's Red Schwin 3-speed w/no wheels Ser.No. G443447
Boy's Red Grandmaster 10-speed, serial #3253
Boy's Black Hawthorn 3-speed w/no serial no.
Boy's Blue Motobecan 10-speed/Frame ser. no. 3372732
Boy's Green Peugeot 10-speed/Frame ser. no. 2357776
Boy's Columbia 10-speed/Aqua Blue in color
Girl's 20" frame
Boy's Yellow Schwin 10-speed w/o a front wheel
Boy's Black 20" frame
Boy's Red Raleigh 10-speed frame
Girl's Purple 20" frame

...EAST BAY REGIONAL PARK DISTRICT...

ITEMS FOR SURPLUS EQUIPMENT AUCTION ... August 20, 1977

ITEM #	QUANTITY	EBRPD Equip. #	DESCRIPTION	REASON FOR DISPOSAL
1	1	145	1970 Ply. Belvedere	89,000 miles
2	1	146	1970 Ply. Belvedere	95,000 miles
3	1	157	1971 American Motors Matador	89,000 miles
4	1	165	1973 Honda motorcycle	worn out
5	1	172	1973 Dodge Polara	80,000 miles
6	1	175	1973 Dodge Polara	92,000 miles
7	1	181	1975 Dodge Coronet	75,000 miles
8	1	182	1975 Dodge Coronet	75,000 miles
9	1	183	1975 Dodge Coronet	78,000 miles
10	1	184	1975 Dodge Coronet	75,000 miles
11	1	227	1942 Dodge 3/4 ton	35 years old
12	1	255	1963 Wilshire Power Sweeper	worn out
13	1	380	1971 Unimasco Mark Rite Striper (18 H.P.)	work being contracted out
14	1	2238	1968 Westcoaster Haulmaster	wrecked
15	1	2291	1971 IHC (International) 1/2 ton pickup	wrecked
16	1	2310	1972 Dodge 1/2 ton pickup	96,000 miles
17	1	2318	1972 Dodge 1/2 ton pickup	99,000 miles
18	1	2325	1973 Ford Courier	93,000 miles
19	1	2347	1973 Ford Van	wrecked
20	1	--	pallet: assorted Jeep engine parts	
21	1	3476	Evinrude outboard motor	
22	2	--	surplus 115-volt D.C. water coolers	
23	1	--	fire truck water tank	

ITEM #	QUANTITY	EBRPD Equip. #	DESCRIPTION
24	1 lot	--	assorted scrap metal
25	1 lot	--	assorted refuse containers
26	1 set	--	parking lot control (incomplete)
27	1	--	3/4 ton pickup bed
28	3 lots	--	assorted car batteries
29	1		rotary mower
30	1	--	IBM typewriter (long carriage)
31	1	--	Lectrojog
32	1	--	Crownscriber
33	1	--	Swingline electric stapler
34	1	3358	postage machine
35	1 lot	--	fluorescent ballasts
36	3 lots	--	fertilizer (water-damaged)
37	1	1449	Champ Pack compactor
38	1 lot	--	files: cardboard and plastic
39	1	--	parking lot control
40	6 lots	--	assorted bolts
41	1	2698	Thomas Collator
42	1	--	air-operated hand saw
43	1	--	A-frame boom & winch
44	1	--	rotary mower, Goodall #22G
45	1	2706	belt & disc sander
46	1	2667	table saw / jointer
47	1	3286	adding machine
48	3	--	rescue boards

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-229

August 16, 1977

AUTHORIZATION TO ENTER INTO A NON-FINANCIAL AGREEMENT WITH SOUTHSIDE
COMMUNITY CENTER IN RICHMOND FOR CETA, TITLE VI WORK PROGRAM

WHEREAS, the East Bay Regional Park District recognizes its obligation to assist in meeting the goal of lowering the Nation's unemployment rate as expressed through the Comprehensive Employment and Training Act (CETA) Title VI Work Program;

NOW, THEREFORE, BE IT RESOLVED that the Board President and Secretary are authorized to execute a Non-Financial Agreement with Southside Community Center in Richmond in a form approved by the General Manager and District Counsel, and the General Manager is directed to do all acts necessary to effectuate said Agreement.

Moved by Director Walter H. Costa, seconded by Director Paul J. Badger, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-230

August 16, 1977

AWARD OF CONTRACT AFTER BIDDING - TWO SLIP-ON SELF-CONTAINED TANK UNITS AND
TWO COMPARTMENTED HEAVY-DUTY SERVICE BODIES

WHEREAS, the Board approved acquisition of two fire trucks in the FY 1976/77 Budget; and

WHEREAS, two cab chassis were approved for purchase on May 17, 1977, and it is necessary to purchase two slip-on self-contained tank units and two compartmented heavy-duty service bodies to complete the fire trucks; and

WHEREAS, the call for bids for these items was published in the Oakland Tribune and in the Hayward Daily Review on August 4, 1977, and requests to bid were sent to seven prospective bidders; and

WHEREAS, two timely bids were received and opened in public on August 12, 1977, as set forth in the following summary of bids:

<u>Bidder</u>	<u>Tank</u>	<u>Body</u>	<u>Total</u>
Western Fire Equip.Co., Brisbane	\$11,840.00	\$5,464.00	\$17,304.00
G.Paoletti Co., San Leandro	\$12,955.98	\$5,798.54	\$18,754.52

WHEREAS, the sums of \$16,841.75 (from Account No. 5-08-578) and \$1,587.01 (from Account No. 1-20-561) are appropriated in the FY 1976/77 Budget for this equipment; and

WHEREAS, the lowest responsible bids are \$11,840.00 for the two slip-on self-contained tank units by Western Fire Equipment Co., Brisbane, and \$5,464.00 for the two compartmented heavy-duty service bodies by Western Fire Equipment Co. for a total of \$17,304.00, plus applicable sales taxes of \$1,124.76, and staff has recommended acceptance of said low bids;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bid by District Counsel, the President, Secretary, and General Manager are each hereby directed to take all appropriate actions to award a contract to such low bidder in accordance with this resolution and the call for bids in the amount of the low bids; and

BE IT FURTHER RESOLVED that the sum of \$1,587.01 is hereby appropriated from the General Manager's Contingency Reserve, Account No. 1-20-561, to cover the additional over-budget cost of the purchase.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-231

August 16, 1977

AWARD OF CONTRACT AFTER BIDDING - FOUR 1/4 TON LIGHT UTILITY PICKUP TRUCKS

WHEREAS, the Board approved acquisition of three 1/4-ton light utility pickup trucks in the FY 1976/77 Budget; and

WHEREAS, staff has recommended the purchase of an additional 1/4-ton light utility pickup truck as being more economical than leasing a truck for one year for the CETA Program; and

WHEREAS, the call for bids was published in the Oakland Tribune and the Hayward Daily Review on August 4, 1977, and requests to bid were sent to five (5) prospective bidders; and

WHEREAS, four timely bids were received and opened in public on August 12, 1977, as set forth in the following summary of bids:

<u>Bidder</u>	<u>Bid</u>
Broadway Motors, Oakland	\$13,879.40
Golden Bear Ford, Berkeley	13,940.76
Albany Ford, Albany	14,010.96
Maggini Chevrolet, Berkeley	14,016.00 ; and

WHEREAS, the bid of Broadway Motors, Oakland, includes an exception to the default section of the General Conditions of Bid, and staff has recommended rejection of its bid; and

WHEREAS, the staff estimate was \$15,200.00 for the cost of the equipment and the lowest responsible bid was in the aggregate sum of \$13,940.76 (the "low bid"), plus tax of \$906.15, by Golden Bear Ford, Berkeley; and

WHEREAS, the FY 1977/78 Budget includes the following Parks and Interpretation appropriations for equipment: \$7,600.00 in Account No. 5-03-578 and \$3,800.00 in Account No. 45-08-578;

NOW, THEREFORE, BE IT RESOLVED that the bid of Broadway Motors, Oakland is hereby rejected; and

BE IT FURTHER RESOLVED that subject to approval of the form of such bid by District Counsel, the President, Secretary, and General Manager are each hereby directed to take all appropriate actions to award a contract to Golden Bear Ford, Berkeley, in accordance with this resolution and the call for bids in the amount of their low bid; and

BE IT FURTHER RESOLVED that the additional sum of \$3,446.91 is hereby appropriated from the General Manager's Contingency Reserve, Account No. 1-20-561, to cover the over-budget cost of this purchase.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-232

August 16, 1977

AWARD OF CONTRACT AFTER BIDDING - METAL PORTABLE CHEMICAL TOILETS

WHEREAS, bidding for the project known as Metal Portable Chemical Toilets was duly authorized by this Board; and

WHEREAS, the call for bids was published in the Hayward Daily Review on July 23, 1977, and in the Oakland Tribune on July 28, 1977, and requests to bid were sent to four prospective bidders; and

WHEREAS, two timely bids were received and opened in public on August 8, 1977, as set forth in the following summary of bids:

<u>Bidder</u>	<u>Base Bid</u>
Peerless Metal Buildings, Santa Cruz	\$365 per unit
Belson Manufacturing Co., North Aurora, Illinois	\$500 per unit

WHEREAS, the lowest responsible bid for such base bid was in the aggregate sum of \$365 per unit (the "low bid"), by Peerless Metal Buildings, Santa Cruz; and

WHEREAS, staff has recommended purchase of 13 units at the low bid, for a total cost of \$5,830.88 including tax; and

WHEREAS, \$5,885.00 is appropriated in the FY 1977/78 Budget (Account No. 5-08-578) for this project;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bid by District Counsel, the President, Secretary, and General Manager are each hereby directed to take all appropriate actions to award a contract to such low bidder in accordance with this resolution and the call for bids in the amount of the low bid.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-233

August 16, 1977

AWARD OF CONTRACT AFTER BIDDING - SECONDARY SEWER LIFT STATION PUMP FOR
LAKE TEMESCAL

WHEREAS, bidding for a Secondary Sewer Lift Station Pump for Lake Temescal was duly authorized by this Board; and

WHEREAS, the call for bids was published in the Hayward Daily Review and the Oakland Tribune on August 4, 1977, and requests to bid were sent to nine prospective bidders; and

WHEREAS, one timely bid was received and opened in public on August 12, 1977, as set forth in the following summary of bids:

<u>Bidder</u>	<u>Base Bid</u>
PACO, Pacific Pumping Company, Oakland	\$1,412.00 ; and

WHEREAS, the staff estimate was \$4,000 for the base bid, which amount is appropriated in the FY 1977/78 Budget (Account No. 5-70-578) for this item; and

WHEREAS, the lowest responsible bid was in the aggregate sum of \$1,412.00 (the "low bid"), plus tax of \$91.78, by Pacific Pumping Company;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bid by District Counsel, the President, Secretary, and General Manager are each hereby directed to take all appropriate actions to award a contract to such low bidder in accordance with this resolution and the call for bids in the amount of the low bid.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-235

August 16, 1977

ADOPTION OF REVISED POSITION DESCRIPTION - TRUCK DRIVER

WHEREAS, Staff has demonstrated the need to revise the position description of Truck Driver;

NOW, THEREFORE, BE IT RESOLVED that the position description for Truck Driver is amended to read as follows:

TRUCK DRIVER

Reports to: Park Supervisor

GENERAL FUNCTION: Under supervision, to load, unload, operate and maintain sanitary pump-out trucks, and similar equipment; to perform related laboring work; and to do other work as required.

PRINCIPAL DUTIES & RESPONSIBILITIES: Operates sanitary pump-out truck, pumping out chemical toilets, pump-out tanks and septic tanks; performs necessary maintenance clean-up work in conjunction with pump-out toilets; operates platform, garbage, dump, water, stake body or similar trucks in hauling material supplies and tools, and transports personnel to and from work areas; loads and unloads or supervises the loading and unloading of assigned equipment, limiting the load to a safe capacity; has trucks serviced and checked at regular intervals and keeps trucks in clean and serviceable condition, changes tires, makes emergency adjustments to the equipment and reports defects to his supervisor; operates light tractors, street sweeping machines, power brooms, flushers, equipment transporters and similar equipment; keeps records and makes reports as required.

MINIMUM QUALIFICATIONS:

License: Class I California driver's license. A currently effective and valid driver's license is a condition of initial and continued employment in this classification.

Education: Equivalent to the completion of the twelfth grade and

Experience: Two years of recent experience in operating a variety of trucks,

and

KNOWLEDGE, SKILLS, AND ABILITIES:

Thorough knowledge of the operation and servicing requirements of trucks and similar equipment; wide knowledge of provisions of the California Vehicle Code and local codes applying to the operation of vehicles on the highway and roads; ability to recognize and take necessary precautions against hazardous driving conditions; drive in a smooth, careful and safe manner, make adjustments and emergency repairs to equipment; properly load and unload equipment and, when necessary, to direct helpers.

Moved by Director Mary Lee Jefferds, seconded by Director William F. Jardin, and adopted this 16th day of August, 1977, by the following vote:

FOR: Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.

AGAINST: Directors none.

ABSENT: Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-234

August 16, 1977

AWARD OF CONTRACT AFTER BIDDING - SIX IBM SELECTRIC II TYPEWRITERS

WHEREAS, bidding for six IBM Selectric II Typewriters was duly authorized by this Board; and

WHEREAS, the call for bids was published in the Hayward Daily Review on July 25, 1977, and in the Oakland Tribune on July 28, 1977; and

WHEREAS, one timely bid was received and opened in public on August 8, 1977, as set forth in the following summary of bids:

<u>Bidder</u>	<u>Base Bid</u>
IBM	\$4,644 ; and

WHEREAS, the staff estimate was \$5,200 for the base bid and this amount is appropriated in the FY 1977/78 Budget for the six typewriters, with \$4,500 appropriated in Account No. 1-99-578 and \$700 appropriated in Account No. 5-01-578; and

WHEREAS, the lowest responsible bid for such base bid was in the aggregate sum of \$4,644, plus tax of \$301.82 for a total of \$4,945.86;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bid by District Counsel, the President, Secretary, and General Manager are each hereby directed to take all appropriate actions to award a contract to such low bidder in accordance with this resolution and the call for bids in the amount of the low bid.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-236

August 16, 1977

APPROVAL OF DEMANDS - August 16, 1977

BE IT RESOLVED that the items set forth and as presented in the Demand Register for the period ending August 16, 1977, totaling \$970,004.59, are hereby approved and authorized for payment.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-237

August 16, 1977

APPROVAL OF DEVELOPMENT PLAN FOR REGIONAL SHORELINE AT SAN LEANDRO BAY
AS MODIFIED BY THE BOARD OF PORT COMMISSIONERS OF THE CITY OF OAKLAND

WHEREAS, the Board of Directors by Resolution No. 1977-8-209 adopted July 19, 1977, approved the Development Plan ("Plan") dated July 15, 1977 for the Regional Shoreline at San Leandro Bay, subject to approval by District Counsel; and

WHEREAS, District Counsel has recommended that certain changes be made to the Plan and the Board of Port Commissioners of the City of Oakland has made certain modifications to the Plan and has requested the Board of Directors to approve the Plan in its final form;

NOW, THEREFORE, BE IT RESOLVED that:

1. The amended Development Plan, dated July 15, 1977, labeled Exhibit B, with attachments I, II, and III (Map, Description, Development Schedule, Assignment of Responsibilities, and Bridge Design) in the form submitted to the Board this date is hereby approved; and
2. The Lease dated March 30, 1976 between the District and the Port of Oakland for the acquisition of approximately 580 acres of land and water at San Leandro Bay, as amended on April 6, 1976, and the finally approved Development Plan shall be appended to the grant application for Land and Water Conservation Funds and any other grants applied for, and to the District's application for a permit from BCDC for development at San Leandro Bay Regional Shoreline.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-239

August 16, 1977

AUTHORIZATION TO PURCHASE MARINE VIEW TERRACE PROPERTY AT GEORGE MILLER, JR.
REGIONAL SHORELINE - McCUTCHEON PROPERTY

WHEREAS, by Resolution No. 1976-3-52, adopted March 16, 1976, the Board of Directors authorized the negotiation of agreements of purchase with private owners of Marine View Terrace lots at George Miller, Jr. Regional Shoreline; and

WHEREAS, by Resolution No. 1976-3-53, adopted March 16, 1976, an Acquisition Evaluation Report on said lots was accepted by this Board; and

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed on the subject property, all in accordance with the District's Master Plan; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA; and

WHEREAS, William J. and Dorothy McCutcheon have executed and offered to the District an Agreement for Purchase and Sale of Property in the City of Richmond described as Lots 5 and 6, Block 1, Marine View Terrace, said lots being among those approved for acquisition by the Board in the above referenced resolutions;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to accept the offer of William J. McCutcheon and Dorothy McCutcheon and to execute the Agreement for Purchase and Sale of Property as presented to the Board this date, and the President, Secretary, and General Manager are further authorized to complete the acquisition of the property for a gross purchase price not to exceed \$6,000, including execution and delivery of necessary documents, payment of purchase price, and acceptance and recordation of a grant deed to the property described in Western Title Insurance Company's Preliminary Title Report #355713-33 dated June 22, 1977, subject to District compliance with Government Code S 65402;

BE IT FURTHER RESOLVED that the sum of \$6,500.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-74 to pay the purchase price, title and escrow fees, and incidental costs of this purchase.

Moved by Director Mary Lee Jefferds, seconded by Director Paul J. Badger, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-238

August 16, 1977

AUTHORIZATION TO PURCHASE MARINE VIEW TERRACE PROPERTY AT GEORGE MILLER, JR.
REGIONAL SHORELINE - CHEEK PROPERTY

WHEREAS, by Resolution No. 1976-3-52, adopted March 16, 1976, the Board of Directors authorized the negotiation of agreements of purchase with private owners of Marine View Terrace lots at George Miller, Jr. Regional Shoreline; and

WHEREAS, by Resolution No. 1976-3-53, adopted March 16, 1976, an Acquisition Evaluation Report on said lots was accepted by this Board; and

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed on the subject property all in accordance with the District's Master Plan; and

WHEREAS, under the District's Environmental Review Manual this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA; and

WHEREAS, Ernest A. Cheek has executed and offered to the District an Agreement for Purchase and Sale of Property in the City of Richmond described as Lot 27, Block 5, Marine View Terrace, said lot being one of those approved for acquisition by the Board in the above-referred resolutions;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to accept the offer of Ernest A. Cheek and to execute the Agreement for Purchase and Sale of Property as presented to the Board this date, and the President, Secretary, and General Manager are further authorized to complete the acquisition of the property for a gross purchase price not to exceed \$3,000.00, including execution and delivery of necessary documents, payment of purchase price, and acceptance and recordation of a grant deed to the property described in Western Title Insurance Company's Preliminary Title Report #355713-22 dated June 22, 1977, subject to District compliance with Government Code S 65402; and

BE IT FURTHER RESOLVED that the sum of \$3,500.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-73 to pay the purchase price, title and escrow fees, and incidental costs of this purchase.

Moved by Director Mary Lee Jefferds, seconded by Director Paul J. Badger, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-241

August 16, 1977

AUTHORIZATION TO PURCHASE 35-ACRE PARCEL FROM SAN FRANCISCO GIRL SCOUT
COUNCIL FOR ADDITION TO BRIONES REGIONAL PARK

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed, all in accordance with the District's Master Plan; and

WHEREAS, by Resolution No. 1977-8-240, adopted August 16, 1977, this Board accepted an Acquisition Evaluation Report on 35 acres, more or less, of San Francisco Bay Girl Scout Council property adjacent to Briones Regional Park; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the President and Secretary are hereby authorized to exercise the District's option to purchase under that certain Option to Purchase Real Property dated July 29, 1977, between the District and San Francisco Bay Girl Scout Council as presented to the Board this date, subject, however, to District compliance with Government Code Section 65402;
2. The President and Secretary are authorized to accept a grant deed to a portion of the property described as Assessor Parcel 365-230-032, and as more particularly described in Western Title Insurance Company's preliminary title report W-472443-6 dated June 21, 1977;
3. The President, Secretary, and General Manager are authorized to do such further acts as are required to complete the acquisition of said property;
4. The General Manager is directed to cause the deed or deeds to be recorded in the Official Records of Contra Costa County; and
5. The sum of \$37,000.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-75 to pay the purchase price of \$35,000.00, title insurance, legal, and escrow fees, and other expenses necessary to complete the acquisition.

Moved by Director Walter H. Costa, seconded by Director William F. Jardin, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-240

August 16, 1977

ACCEPTANCE OF ACQUISITION EVALUATION REPORT ON 35 ACRES OF SAN FRANCISCO BAY
GIRL SCOUT COUNCIL PROPERTY ADJACENT TO BRIONES REGIONAL PARK

WHEREAS, the East Bay Regional Park District is considering the acquisition by purchase of 35 acres, more or less, of San Francisco Bay Girl Scout Council property adjacent to Briones Regional Park; and

WHEREAS, staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation Report covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation Report presented to and considered by the Board this date, covering 35 acres, more or less, of San Francisco Bay Girl Scout Council property adjacent to Briones Regional Park, is hereby accepted for filing and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan.

Moved by Director Walter H. Costa, seconded by Director Mary Lee Jefferds, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-242

August 16, 1977

ACCEPTANCE OF ACQUISITION EVALUATION REPORT ON 0.63 ACRES OF CASTRO VALLEY
UNIFIED SCHOOL DISTRICT PROPERTY ADJACENT TO REDWOOD REGIONAL PARK

WHEREAS, the East Bay Regional Park District is considering an acquisition by purchase of 0.63 acres, more or less, plus improvements, of Castro Valley Unified School District property adjacent to Redwood Regional Park; and

WHEREAS, staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation Report covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation Report presented to and considered by the Board this date, covering 0.63 acres, more or less, plus improvements, of Castro Valley Unified School District property adjacent to Redwood Regional Park, is hereby accepted for filing and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-243

August 16, 1977

AUTHORIZATION TO PURCHASE CASTRO VALLEY UNIFIED SCHOOL DISTRICT PROPERTY
FOR ADDITION TO REDWOOD REGIONAL PARK

WHEREAS, by Resolution No. 1977-8-242, adopted August 16, 1977, this Board accepted an Acquisition Evaluation Report for the Castro Valley Unified School District property adjacent to Redwood Regional Park; and

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed on the subject property, all in accordance with the District's Master Plan; and

WHEREAS, under the District's Environmental Review Manual this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The President and Secretary are hereby authorized to complete acquisition of 0.63 acres, more or less, plus improvements from Castro Valley Unified School District.
2. The President and Secretary are authorized to accept a grant deed to the property described as Alameda County Assessor Parcel 85-1-11-2.
3. The General Manager is directed to record same in the official records of Alameda County.
4. The sum of \$20,700.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-76 to cover the purchase price of \$20,500.00 and title insurance fees for this transaction.

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-244

August 16, 1977

AUTHORIZATION TO EXECUTE RENEWAL OF LEASE WITH SHEEP FARM ISLAND, INC.
FOR BROOKS ISLAND

WHEREAS, by Resolution No. 1976-6-155 adopted June 15, 1976, the District terminated the lease of Brooks Island Gun Club effective June 30, 1977; and

WHEREAS, District has not yet completed a plan for District operation and development of the Island, but Sheep Farm Island, Inc. has proposed to renew the lease with the District for interim use of the Island; and

WHEREAS, the security and protection of the Island will be enhanced by full-time caretaking afforded by the uses granted under said lease; and

WHEREAS, under the District's Environmental Review Manual, the use of the property under this lease is categorically exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are authorized to execute that certain Lease with Sheep Farm Island, Inc. for the lease of Brooks Island, in the form presented to the Board this date, as amended by the Board, for the period September 1, 1977 to June 1, 1978.

Moved by Director Mary Lee Jefferds, seconded by Director Walter H. Costa, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO. 1977-8-245

August 16, 1977

AWARD OF CONTRACT AFTER BIDDING - PHASE 2, GRADING AND PAVING,
GARIN REGIONAL PARK

WHEREAS, bidding for the project known as Grading and Paving, Garin Regional Park was duly authorized by this Board; and

WHEREAS, the call for bids was published in the Oakland Tribune, Contra Costa Times, Hayward Daily Review and Daily Pacific Builder on July 12, 1977; and

WHEREAS, four timely bids were received and opened on August 4, 1977 as set forth in the following summary of bids;

BIDDER	BASE BID	ALTERNATES		
		A	B	C
Redgwick Construction Co., Hayward	\$155,100	\$2,250	\$7,500	\$ 16,000
East Bay Excavating Co., Inc. Hayward	192,600	2,375	6,000	290,000
O. C. Jones and Sons, Berkeley	196,370	2,250	7,000	200,000
Ransome Co., Emeryville	244,186	1,974	7,350	No Bid

WHEREAS, staff has recommended acceptance of the base bid, plus Alternates A and C, and

WHEREAS, the low bidder, Redgwick Construction Co., Hayward, has requested rejection of their proposal on the ground that errors were made in preparing the bid; and

WHEREAS, Staff has reviewed Redgwick Construction Co.'s request and has recommended rejection of this bid and acceptance of the second low bid; and

WHEREAS, the District's Design Consultant's estimate, including contingencies, for this project was \$202,347 and the lowest responsible bid for such Base Bid and Alternates was in the aggregate sum of \$201,575 by East Bay Excavating Co., Inc., Hayward, California; and

WHEREAS, the sum of \$300,000.00 is appropriated in the FY 1977/78 Budget (Account No. 34-06) for this and other projects, \$1,525 thereof having heretofore been allocated for pre-bid expenses and to other projects;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bid by District Counsel, the President, Secretary and General Manager are each hereby directed to take all appropriate action to award a contract to such second low bidder in accordance with this resolution and the call for bids in the amount of the second low bid; and

Resolution No. 1977-8-245 - continued
August 16, 1977

BE IT FURTHER RESOLVED that the sum of \$226,575 (which includes a \$25,000 contingency allowance) be allocated from Project Account No. 34-06 for this project.

Moved by Director Walter H. Costa, seconded by Director William F. Jardin, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-246

August 16, 1977

APPROVAL OF AUDIT REPORT AND MANAGEMENT LETTER

WHEREAS, the annual Audit Report and Management Letter for the District has been prepared and submitted to and reviewed by this Board;

NOW, THEREFORE, BE IT RESOLVED that the Audit Report and Management Letter for the Fiscal Year ending March 31, 1977, as prepared and submitted by Coopers & Lybrand, 1333 Broadway, Oakland, California, Certified Public Accountants, and presented this date, are approved, accepted and filed; and

BE IT FURTHER RESOLVED that a copy of said Audit Report be made a part of this resolution by this reference and be filed with the Minutes of this meeting.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-247

August 16, 1977

APPROVAL OF REPRESENTATION AGREEMENT WITH FIRM OF DUNCAN,
BROWN, WEINBERG, AND PALMER OF WASHINGTON, D.C.

WHEREAS, the staff has recommended that the District engage the law firm of Duncan, Brown, Weinberg and Palmer of Washington, D. C. to represent the District before the U. S. Congress and federal administrative agencies; and

WHEREAS, the services of this law firm will be beneficial to the District;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are authorized to execute a letter agreement with Duncan, Brown, Weinberg and Palmer in the form presented to the Board this date, to be effective August 1, 1977;

BE IT FURTHER RESOLVED that the sum of \$2,500.00 is appropriated for these services, \$460 from Account No. 1-45-551 and \$2,040.00 from Account No. 1-99-551, to be disbursed in accordance with the terms and conditions of said letter agreement.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-248

August 16, 1977

AUTHORIZATION TO EXECUTE INDENTURE WITH DUMBARTON QUARRY ASSOCIATES
CONCERNING A 73-ACRE QUARRY SITE - COYOTE HILLS REGIONAL PARK

WHEREAS, Dumbarton Quarry Associates, a joint venture, has obtained a use permit from the City of Fremont to quarry its property adjacent to Coyote Hills Regional Park; and

WHEREAS, one of the conditions imposed on said use permit by Ordinance No. 1185 adopted by the City Council of Fremont on July 12, 1977, is that a program be completed for deeding the site to the East Bay Regional Park District in a time and manner acceptable to the District; and

WHEREAS, the District's Environmental Coordinator has advised that the Environmental Impact Report adopted by the City of Fremont on July 12, 1977 covers the District's acquisition of this property so that the District need not prepare or process environmental documents under CEQA; and

WHEREAS, staff has worked closely with the City of Fremont in connection with the use permit and the conditions thereto and has assured the Board that this acquisition complies with the District's Master Plan and that it will protect the integrity of the existing Coyote Hills Regional Park;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to execute that certain Indenture between the Park District and Dumbarton Quarry Associates, which sets forth a program for deeding a 73-acre quarry site near Coyote Hills Regional Park to the District, in the form presented to the Board this date, and the President, Secretary, and General Manager are further authorized to do such acts as are necessary to complete the acquisition.

Moved by Director Howard L. Cogswell, seconded by Director Walter H. Costa, and adopted this 16th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Harlan R. Kessel.

AGENDA
SPECIAL MEETING
BOARD OF DIRECTORS
EAST BAY REGIONAL PARK DISTRICT

Friday, August 26, 1977

FUG 21 117
EMPD
CONTROLLER

D. BUSINESS BEFORE THE BOARD

2. Public Hearing in Regard to the Setting of the District's Tax Rate for 1977-78.

Recommendations

The Board's Finance Committee (Jardin, Cogswell, and Leavitt - latter sitting in for Kessel) met on August 16 and, after reviewing figures supplied by Controller Ralph Meilandt and material supplied by General Manager Richard Trudeau, recommended setting the District's 1977-78 tax rate at the basic 20.4 cents, the same as last year. There were indications, however, that this recommendation was not "etched in concrete" and they would look for further information and testimony from the public.

The staff report to the Finance Committee pointed out that an 8% increase had been projected in the budget and with the assessment increases in the two counties (Alameda and Contra Costa) projected now at 15%, it "is possible to reduce the tax rate on the old 10 cents if the Board members wish to do so. This undoubtedly would not be a large amount and possibly would not be more than one-half cent."

Cost Factors

In the 1977-78 budget adopted by the Board, there was a deficit in the old 10 cents of \$395,582, which was expected based on our long-range Financial Projections. The Coopers and Lybrand audit report showed an unexpended balance last year in the old 10 cents of \$168,000; which if applied against the deficit would leave the deficit in the old 10 cents at \$227,582.

Assuming that the unexpended balance is left as it is to cover some of the additional costs which will be mentioned below, the \$395,582 budget deficit would be eliminated by the increased revenues possible due to higher assessments if a basic tax rate of 19.6 cents were to be set.

Last year with a basic tax rate of 20.4 cents, the equalized ratio between the two counties resulted in a tax rate of 21.9 cents in Contra Costa County and 19.5 cents in Alameda County.

This year the preliminary county ratios of assessed to full value of locally assessable property as of March 1, 1977 were 24.2 in Alameda County and 24.4 in Contra Costa County - with the State's equalized ratio previously being set at 25%. Assuming a 20.4 cent basic tax rate, this would result in the District's tax rate for Alameda County being about 20.7 cents and Contra Costa County being about 20.3, based on preliminary assessment roll data.

2. Public Hearing In Regard to the Setting of the District's Tax Rate For 1977-78 (2)

Background Data

- a. Format. To assist you in your deliberations, the public hearing will begin with one of Controller Ralph Heilandt's outstanding presentations of the figures and the alternatives possible. Some of his charts are included also in this packet for your information. This will be followed by presentations from the public. We will publicize the fact that the Board will be setting the tax rate and see if this produces more testimony than the two presentations made at the time the budget was adopted. Then the Finance Committee will elaborate further on the details of their report. A synopsis of the reasons for their recommendation, cited earlier, will be a part of this background data. At that time it will be up to the Board to set the tax rate and then for that tax rate to be equalized between the two Counties.
- b. Legal Opinion. Part of the salient background data is Donn Black's legal opinion dated August 10, 1976, in regard to the question of reducing the tax rate in the new 10 cents or Supplemental Fund. It is clear that Mr. Black feels that this can only be done in 5 cent decrements and that any such reduction would leave other open legal questions.
- c. Property Tax Relief. For some time it has not been clear what kind of compromise would result from the two-house legislative conference committee on property tax relief. Until the time of the conference committee there were three measures (by Willie Brown, Nick Petris, and Senator Smith) under consideration. While the conference committee has now reached agreement, there is yet the action to be taken supporting that agreement by both houses of the State Legislature and then the signature of the Governor. But this is largely decided since Governor Brown has praised the program as an "historic step forward."

The property tax relief will have an effect on the future budgets and financial projections of the District, with the amount of such effects not possible yet of being computed. However, there will be substantial relief for homeowners and renters. The business inventory tax will be eliminated beginning with the 1978-79 fiscal year and this will result in cuts of funds coming to the District since it is not apparent that such funds would be replaced, at least for Special Districts. Also agreed upon in separate legislation will be limitations on spending increases possible for state and local governments, with such increases hereafter to be predicated on the cost of services plus growth. The best news story on this that we have on file is the August 16 story in the Daily Review and it is enclosed for your information. Should we get additional data, we will provide it before or at the Board meeting.

- d. What are other public agencies doing? It is clear that many are cutting their tax rates, particularly Contra Costa County which is attempting to limit the cost increases to 7.5%, thus cutting the tax rate. Others are finding that they cannot cut unless they are to reduce services. The clippings enclosed are not all inclusive but they will provide you with an overview of what is taking place in other local governments. The decisions have not yet been reached in many cases, including our own. The effect of the presentations by property taxpayers has not been lost on local government, however.

2. Public Hearing In Regard to the Setting of the District's Tax Rate for 1977-78 (3).

e. Rationate of Finance Committee. At the meeting of the Finance Committee, staff pointed out that there probably will be additional expenditures which have not been budgeted, which the Board should consider, and where the funds would either have to come from the under expenditures and/or increased assessments. These included:

- (1) An increase of \$50,000 for additional fire fighting costs and for a beginning on re-seeding of lawns and replanting of plants lost in the drought. If unused next year, a fund needs to be set up for such replacement when water becomes more available.
- (2) Possible funding of the un-funded balance for one year on the District's pension program, based on a 30 year retirement fund amortization. While this has only been discussed by the Board's pension committee and there are other alternatives, it seems prudent to set up such a fund, based on the recent actuarial reports and this is estimated at \$225,000 for the present fiscal year.
- (3) Set up a fund of \$50,000 to cover funding the Unemployment Insurance Program, when and if this comes to pass.

The members of the Finance Committee not only generally agreed with these recommendations, but added some possible additional expenditures of their own, which should be reviewed and which could be financed by setting the tax rate at the 20.4 cent rate. These included:

- (1) The uncertain financial future for the District based on what is anticipated in the Legislature's property tax relief measure, which almost assuredly, will result in lesser funding in future years than we are now anticipating.
Not e: now that the conference committee has a recommendation, it is clear that this District will be affected by (a) the elimination of the business inventory tax and (b) the limitation on local government spending to an unknown level.
- (2) The feeling of taxpayers that they are getting their money's worth from the District as evidenced by the Tyler study (94% satisfaction) and the lack of opposition to the 1977-78 fiscal budget. This constitutes a reason to continue the program as we have done.
- (3) The feeling derived from employees in the field that there is a need for additional Capital Equipment, not now covered in the current budget and cut from the Decision Packages.
- (4) A feeling that the Model Police Force study, which is scheduled to be presented to the Board in October, will require additional funding for the Public Safety Department, either in manpower, equipment, or the new headquarters or all three.
- (5) A feeling that it is time to construct a Board Room at District Headquarters to facilitate holding of the regular Board meetings here rather than at BART. With future funding not clear, this may be the only opportunity to do this before 1982-83.

2. Public Hearing In Regard to the Setting of the District's Tax Rate for 1977-78 (4).

- (6) I feeling that this is the time to also expand the District Headquarters building so as to house all administrative staff, including the Controller's office, at the Headquarters Building and that this can be done more cheaply now than in the future.

Mr. Meilandt also indicated that there was a need for \$100,000 in contributions annually to cover uninsured losses and that this amount was necessary to set up a reserve.

From Mr. Meilandt's chart, it is unclear that all of these things could be funded, even if the 20.4 cent tax were set. As he has pointed out, setting the tax rate at 20.4 cents would bring in \$633,000 additional in tax funds in the two counties. Offset against this amount would be the \$395,582 deficit in the old 10 cents, which would reduce this to \$237,428 plus the \$168,000 unexpended balance from 1976-77. This amount probably would not be sufficient to fund all of the items mentioned and hence priorities would still have to be established on the use of the additional funds.

- f. Effect of Tax Rate on Supplemental Fund. Obviously the effect will be salutary on the Supplemental Land Fund as well, though not to the extent indicated in the old 10 cents. But the additional funds could certainly be a help to the Capital Development budget, where some projects appear underfunded. And the additional funding would either permit additional land acquisitions this year or provide for a reserve for coming years, when there will be less funds to spend for this purpose.
- g. What is the Maximum Rate the District could set? It must be remembered that the tax laws allow increasing the tax rate to cover Debt Service, that is interest payments and repayment of long term debt. Hence it was possible to set a tax rate of 21.4 cents last year and Mr. Meilandt has indicated that the Debt Service this year would enable the Board to set a tax rate of 21 cents. Thus, as recommended by the Finance Committee, setting the rate at 20.4 cents - the same as last year - would be less than that which is possible.
- h. What is the argument in favor of cutting the tax rate? Many local governments are responding to the taxpayers presentations and reducing their tax rates so that they do not take undue advantage of the increased assessments. Where Counties and cities do so, this can have an appreciable effect. The effect of the Park District doing so - by half a cent to 19.9 cents in the old 10 cents, for example - would only be a token since it would reduce the property taxes paid by the owner of a \$40,000 home by only 50 cents, but it would constitute a positive response to the property taxpayers who have been earnestly seeking cuts in local government spending. Such a reduction would eliminate the \$395,582 deficit in the old 10 cents and provide \$90,241 additional to cover items mentioned as necessary, together with the \$168,000 in under expenditure from last year. The \$258,000 would cover several of the items mentioned - but not all of them. The others could be postponed until other funds permitted or they could be budgeted in the 1978-79 budget if urgently needed.

2. Public Hearing In Regard to the Setting of the District's Tax Rate for 1977-78 (5).

- i. What is the argument in favor of taking the 20.4 cent rate? This is the same as last year and it will eliminate a budget deficit as well as permit doing a few of the things which need to be done but have not been possible because of funding shortages. The Finance Committee and staff have indicated what these items are and their cost. Furthermore, the State Legislature has responded to the property taxpayers by a far-reaching program, which will be of benefit to most, and in addition, their legislation will result in reduced funding to the District in future years, which will make the programs outlined difficult to finance. In addition, we have projected deficits in the old 10 cents in coming years through 1982 in our Financial Projection reports and this will give us a cushion since the deficits are still projected and we do not know the effect on us of the property tax relief legislation in terms of reduced dollars.

The material herein will be of help to you. The decision is that of the Board of Directors and must be made at the next Board meeting.

J. CLAYTON ORR
DAVID I. WENDEL
VICTOR D. ROSEN
LAWRENCE S. SIMON
EUGENE K. LAWLOR
DONN L. BLACK
NEIL R. ANDERSON
MICHAEL A. DEAN
JACOB LEVITAN
THOMAS F. HYDE
DEANNA D. LYON
A. CHARLES DELL'ARIO
PATRICIA A. DURHAM

ORR, WENDEL & LAWLOR

ATTORNEYS AT LAW
1020 CENTRAL BUILDING
436-14TH STREET
OAKLAND, CALIFORNIA 94612

TELEPHONE
AREA CODE 415
834-8600

August 10, 1976

OUR FILE NUMBER

CONFIDENTIAL LEGAL OPINION

Mr. Richard C. Trudeau
General Manager
East Bay Regional Park District
11500 Skyline Boulevard
Oakland, CA 94619

Re: Reduction of District's Tax Rate

Dear Dick:

This is in response to your question concerning the possibility of a reduction of the District's tax rate.

As you well know, the District's taxing power is split into two sections of the Public Resources Code. The unrestricted 10 cents is authorized by Section 5545; and of course, the restricted 10 cents (our "second dime") is authorized by Section 5545.5. It is important to notice that under Section 5545, the District's taxing power, "...shall not exceed 10 cents...", whereas under Section 5545.5, the District is only authorized to, "...levy and collect a tax of 10 cents...". In other words under the older section, the Board has discretionary power to levy anything between one mill and 10 cents in any year. Under the new section, it appears that the District must levy either nothing, 5 cents or 10 cents; the Board would not have the authority to levy any intermediate amounts under the wording of that statute. This conclusion is confirmed by the provisions of the new section which specify the number of cents that must be spent on acquisition and the number of cents that must be spent on development and operation.

Accordingly, if the Board desired to reduce the tax anything less than 5 cents, it could proceed only under the older section, 5545. If the Board wanted to reduce the tax exactly 5 cents, then it could proceed under the new section, 5545.5; and the effect of that reduction would be to reduce the amount to be spent for new Park lands by 4 cents and the amount to be spent for development and operation by 1 cent. There apparently is no in-between.

I was surprised to find that although there is absolutely no analogous case authority to rely on, the statutory construction is fairly straight forward and we feel quite confident that the foregoing may be relied upon. In any event, whatever tax the Board were to decide upon would not be illegally collected and would be collected from the proper taxpayers. The only conceivable question would arise if the Board reduced the overall tax rate by let's say 1 cent, and attempted to reduce below 8 cents the amount of the total tax to be spent on land acquisition. Our opinion is that the 8 cent requirement could not be reduced under those circumstances and that the District would continue to have the obligation to spend the full 8 cents for the new Park lands.

I should note in passing, that if the Board ever decided to reduce the second-dime tax by a full 5 cents or a full 10 cents, there conceivably is an open legal question about whether a subsequent decision to reinstitute that tax would be subject to voter referendum. We have not researched that point and venture no opinion on it here.

Please let me know if you need anything further on this.

Very truly yours,

ORR, WENDEL & LAWLOR



Donn L. Black

DLB:dt

Alameda County AUDITOR-CONTROLLER'S OFFICE

Donald M. Parkin, Auditor-Controller • Herbert W. Cochran, Chief Deputy Auditor
1221 Oak Street, Oakland, California, 94612 Telephone: (415) 874-5545

August 9, 1977

East Bay Regional Park District
11500 Skyline Boulevard
Oakland, CA 94619

Attention: Mr. R. C. Trudeau, General Manager

1977/78 Fiscal Year Preliminary Assessed Valuation

The preliminary assessed valuation of property within your district in Alameda County has been determined to be as follows:

	County <u>Secured Roll</u>	State <u>Board Roll</u>	County <u>Unsecured Roll</u>	<u>Total</u>
Land	1,938,969,659	22,935,130	16,512,490	1,978,417,279
Improvements	2,206,198,269	126,593,180	136,329,069	2,469,120,518
Personal Property	<u>259,188,032</u>	<u>96,224,270</u>	<u>*414,060,900</u>	<u>769,473,202</u>
TOTAL GROSS	4,404,355,960	245,752,580	566,902,459	5,217,010,999
Less Exemption:				
Homeowners	336,998,707	-	244,615	337,243,322
Business Inventory	92,032,966	-	*125,044,098	217,077,064
Other	<u>156,037,410</u>	<u>17,100</u>	<u>1,811,026</u>	<u>157,865,536</u>
TOTAL NET	3,819,286,877	245,735,480	439,802,720	4,504,825,077

It is estimated that \$ 44,078,624 of the assessed valuation will be utilized for redevelopment project tax increment payments.

Please note that the State Board Roll Valuations are preliminary and subject to change. Our certification or notification of the District's final 1977/78 fiscal year assessed valuation will be furnished upon our receipt of the utility roll from the State Board of Equalization.

*Includes imported goods
escaped assessments subject
to invalidation:

Personal Property @ \$3,656,175
Bus. Inv. Ex. @ \$1,645,279

DONALD M. PARKIN
Auditor-Controller
of Alameda County

By:

Ben Morita
Ben Morita
Deputy Auditor

DMP:BM:wr

Auditor-Controller Office

Finance Building
Martinez, California 94553
(415) 372-2181

H. Donald Funk
Auditor-Controller
Donald L. Bouchet
Assistant Auditor-Controller

Contra
Costa
County



August 12, 1977

Divisions

Accounting
Nicholas G. Morris 372-2246
Budgets
Charles D. Thompson 372-2018
Cost Accounting
James A. Horst 372-2895
Data Processing
Glen C. Taylor 372-2377
Internal Audit
John A. Aylard 372-2161
Purchasing
William A. Schmidt 372-2172
Systems
Arthur T. Sturgess 372-2157
Special Districts/Taxes
Sam Kimoto 372-2236

East Bay Regional
Park District

Gentlemen:

The 1977-78 preliminary assessed valuations for East Bay Regional Park Dist. are the following. The figure labeled "State Board Roll" is preliminary figure submitted by the State Board of Equalization and is subject to change. Upon receipt of the final state assessed valuation, we will furnish the usual certificate on or about August 20th.

	Net Total	Homeowners' Exemptions	Business Inventory Exemptions
County Secured Roll	2,819,954,465	233,730,490	78,358,079
State Board Roll	268,241,340		222,940
Total Secured	3,088,195,805	233,730,490	78,581,019
County Unsecured Roll	181,637,793	4,170	36,539,004

AUG 5 1977
EDDPD
CONTROLLER

Please note that we have shown homeowners' and business inventory exemptions. Tax losses on these items will be paid by the State.

Very truly yours,

H. DONALD FUNK
Auditor-Controller

By: 
Sam Kimoto
Deputy County Auditor

SK:jag

Redevelopment Agency - 53,053,216

FINAL COUNTY RATIOS OF ASSESSED TO FULL VALUE OF LOCALLY ASSESSABLE PROPERTY AS OF MARCH 1, 1976

August 23, 1976

G. 10 (4-68)
ST. BOARD OF EQUALIZATION

In
Alphabetical

In Ratio Order

Ratio

No.	COUNTY	Order
1	Alameda	25.8
2	Alpine	24.5
3	Amador	20.6
4	Butte	21.4
5	Calaveras	22.0
6	Colusa	23.4
7	Contra Costa	22.8
8	Del Norte	26.9
9	El Dorado	24.2
10	Fresno	24.1
11	Glenn	22.2
12	Humboldt	22.7
13	Imperial	22.7
14	Inyo	26.0
15	Kern	22.1
16	Kings	21.6
17	Lake	22.6
18	Lassen	21.4
19	Los Angeles	27.5
20	Madera	22.5
21	Marin	25.9
22	Mariposa	21.5
23	Mendocino	23.5
24	Merced	22.8
25	Modoc	23.0
26	Mono	23.4
27	Monterey	20.8
28	Napa	24.1
29	Nevada	22.8
30	Orange	24.6
31	Placer	24.7
32	Plumas	26.3
33	Riverside	23.3
34	Sacramento	23.9
35	San Benito	22.9
36	San Bernardino	23.7
37	San Diego	25.1
38	San Francisco	23.1
39	San Joaquin	26.4
40	San Luis Obispo	22.2
41	San Mateo	21.1
42	Santa Barbara	23.1
43	Santa Clara	26.5
44	Santa Cruz	25.0
45	Shasta	25.8
46	Sierra	24.5
47	Siskiyou	24.1
48	Solano	22.4
49	Sonoma	25.7
50	Stanislaus	22.6
51	Sutter	24.9
52	Tehama	24.1
53	Trinity	24.2
54	Tulare	22.5
55	Tuolumne	21.1
56	Ventura	27.3
57	Yolo	26.9
58	Yuba	24.0

County	Ratio
Los Angeles	27.5
Ventura	27.3
Del Norte	26.9
Yolo	26.9
Santa Clara	26.5
San Joaquin	26.4
Plumas	26.3
Inyo	26.0
Marin	25.9
Alameda	25.8
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Kings	21.5
Mariposa	21.4
Butte	21.4
Lassen	21.1
San Mateo	21.1
Tuolumne	20.8
Monterey	20.6
Amador	

8/10/77

Rate Analysis

1977/78

Comparison of Revenue Producing Assesed Valuation

	<u>Total Served</u>	<u>Total unserved</u>	<u>Total- Assesed</u>
1977/78			
Ala	4,446,726,031	565,091,433	5,011,817,464
ccc	<u>3,400,503,314</u>	<u>212,120,967</u>	<u>3,612,624,281</u>
	7,847,229,345	783,272,400	8,630,501,745

Net of
development
reported
losses

1976/77

Ala	3,864,812,130	538,191,851	4,403,003,981
ccc	<u>2,884,832,540</u>	<u>200,491,035</u>	<u>3,085,323,575</u>
	6,749,644,670	738,682,886	7,488,327,556

Increase	TOTAL Assesed	(both countries) <u>TOTAL Dist</u>
Ala (.1323)	= 14%	(.1525) 15%
ccc (.1724)	= 17%	

Tax Rate Analysis

1977/78

Impact of various rates on ^{77/78} a budget as a whole

<u>TOTAL TAX Revenue</u>		<u>current Proposed</u>	<u>Increase < decrease ></u>
<u>RATE</u>	<u>New Valuations</u>		
.19	16,184,194	15,742,183	442,011
.195	16,478,465	15,742,183	736,282
.196	16,537,319	15,742,183	795,136
.197	16,596,173	15,742,183	853,990
.198	16,655,027	15,742,183	912,844
.199	16,713,881	15,742,183	971,698
.20	16,772,736	15,742,183	1,030,553
.201	16,831,589	15,742,183	1,089,406
.202	16,890,444	15,742,183	1,148,261
.203	16,949,299	15,742,183	1,207,116
.204	17,008,153	15,742,183	1,265,970

all increase + is in Supplemental Land

Rate Analysis

1977/78

This table assumes that SLT may not fall below 104

RATE	TOTAL REVENUE	GF Revenue	SLT Revenue	80%	20%
19	16,184,194	7,797,826	8,386,368	6,709,094	1,677,274
195	16,478,465	8,093,097	8,386,368	6,709,094	1,677,274
196	16,537,319	8,150,951	8,386,368	6,709,094	1,677,274
197	16,596,173	8,209,805	8,386,368	6,709,094	1,677,274
198	16,655,027	8,268,659	8,386,368	6,709,094	1,677,274
199	16,713,881	8,327,513	8,386,368	6,709,094	1,677,274
20	16,772,736	8,386,368	8,386,368	6,709,094	1,677,274
201	16,831,589	8,445,174	8,415,795	6,732,636	1,683,159
202	16,890,444	8,445,222	8,445,222	6,756,178	1,689,044
203	16,949,299	8,474,650	8,474,649	6,779,719	1,694,930
204	17,008,153	8,504,077	8,504,076	6,803,261	1,700,815
21	17,361,278	8,680,639	8,680,639	6,944,511	1,736,128

↑
 The 198 rate is a reduction in the General Fund
 when compared to the indicated deficit of \$395,552 by
 another \$174,552. Rates through 1994 are unequal as to apportionment.
 After 204 level is reached, both GF + SLT's increase equally.

a budget of \$9,571,000

\$6,246,354

1,574,767

12/1/78

Tax Rate Analysis

12/1/78

Impact of various rates on budgeted deficit & surplus + fund balance
 6.7%, assuming that any tax rate decrease is split evenly between
 the two funds

Rate	budgeted deficit	Increase (Decrease)	New (Deficit) Surplus	Estimated Fund bal - 3-31-78 (4,235,330)
19.4	< 395,582 >	221,030	< 174,552 >	4,060,758
		368,165	< 27,417 >	4,207,893
19.6		397,592	2,010	4,237,320
19.7		427,019	31,437	4,266,747
19.8		456,446	60,864	4,296,174
19.9		485,873	90,291	4,325,601
20.0		515,301	119,719	4,355,029
20.1		544,727	149,145	4,384,455
20.2		574,155	178,573	4,413,883
20.3		603,583	208,001	4,443,311
20.4	< 395,582 >	633,010	237,428	4,472,738

Agreement reached on property tax relief

A proposal to increase state aid to property owners earning between \$15,000 and \$30,000 a year was the final compromise on the tax relief bill

SACRAMENTO (UPI) — A two-house legislative conference committee has reached agreement on a plan to provide property tax relief to Californians and Gov. Edmund G. Brown Jr. has praised the program as an "historic step forward."

Committee members agreed Monday that the \$56 million first-year cost of the bill (SB154) may be too costly for the state budget surplus when added to school finance legislation. The tax measure would give the average homeowner a \$200 property tax rebate next year.

The program, in its basic outline, is an historic step forward," Brown later told a reporter, pointing out the measure provides no increase in the income or sales tax. Brown said there were "some details" to be worked out on the tax measure — most

importantly the impact of its cost on the state treasury. He also said the legislature must work to trim the school finance bill to avoid the need for a tax increase to finance that measure.

Sen. Nicholas Petrakis, D-Oakland, chairman of the property tax panel, said he felt a compromise between the school and tax plans was possible, but added, "I hope we can get education to cut."

Under the plan, about 60 per cent of homeowners would receive relief while 40 per cent of the state's renters would receive an average \$113 payment.

The bill earmarks a total of \$50 million for homeowner relief in the 1977-78 fiscal year and \$46 million for renters. Also included is elimination of the business inven-

tory tax which would cost \$43 million in the 1978-79 fiscal year.

The final compromise in the bill was made when the committee adopted a proposal to increase relief by \$25 million for persons earning \$15,000 to \$30,000 annually. Petrakis said boosting state aid for middle-income homeowners was necessary to quiet criticism of the plan by some assemblymen. Homeowners would receive relief based on a formula which matches income and the worth of a home.

California renters earning less than \$20,000 would receive relief based on a sliding scale, but those with incomes over that amount would receive the current \$7 tax break. Renter relief would be divided among persons living in the apartment or home.

Separate legislation would limit state and

local government spending increases to hikes in the cost of services plus growth.

Among other sources, revenue to finance the plan would come from increasing to 75 per cent the amount of capital gains subject to state taxes.

However, earlier proposals to increase state income taxes for those persons in the upper brackets were deleted in an effort to win support of Gov. Edmund G. Brown Jr., who has opposed any general tax increases.

Another element of the property tax compromise would require the state to assume a portion of the cost of county general assistance welfare programs beginning in 1979. The first-year cost would be \$60 million. The entire plan would cost about \$900 million in the first year.

The Daily Review

A consolidation and continuation of The Morning News

Vol. 84 — No. 304

783-6111

Hayward, California, Tuesday, Aug. 16, 1977

WT.

40 pages

15 cents

It remains at 75 cents per \$100

No more tax cuts in Hercules

By Geraldine Fregoso

HERCULES — This city's tax rate, already cut 25 per cent, will remain at 75 cents per \$100 assessed valuation despite the attempt of one councilor to lower it even further.

Joel Zieper tried to convince his colleagues last week to slash the rate to 58 cents when it was learned that the total assessed valuation in the city will be \$25,800,000, up from the \$19 million anticipated.

Zieper said the 58-cent rate would still bring in the \$150,000 the council had previously determined it needed in revenues and he argued the further cut would give additional relief to taxpayers.

Chuck Collins disagreed, saying although he too was sympathetic to taxpayer concerns, the city should set its rate by planning for the future when Hercules becomes a full-fledged city.

Fred Wachowicz suggested the difference in funds, estimated to be around \$24,000, be accrued in a reserve fund to be used next year.

Mayor Ernest Fawcett said, "We cut the tax rate already and I believe we can probably cut it again next year, but we have tremendous obligations facing us in capital expenditures. It won't do any good to own

a home out here if we don't take care of those things."

In addition to the reduction from last year's \$1 rate, the city has already decided to pick up the \$54 tab for sewer charges for each homowner this year and will also pay costs for those residents living in the Rodeo Fire Protection District.

In other action, the council:

— Accepted an amended PG&E plan for landscaping on the Rodeo side of the storage tanks being constructed in the city.

Fast-growing Lombardy Poplars will be planted along an easement granted PG&E by Pacific Refining.

The trees will be densely planted and one of every three will be a 15-gallon size. The remainder will be one-gallon plants, but they are expected to grow four to six feet a year after the first year until they reach 50 to 75 feet in height with a spread of from 10 to 15 feet.

Rodeo residents were present again to protest the plan as inadequate to mask their view of the tanks. Robert McGrath, spokesman for the group, suggested that the plantings be made on top of mounds of builtup earth. PG&E said this was not possible because of the slope of the hill.

— Took no action on a

proposal by the Rodeo Fire Protection District to provide service to the balance of the city for \$34,000 for the next fiscal year.

Snyder said negotiations are still proceeding with Pinole but he has not received final figures on how much it will cost to renew the contract with that city. "We may find we have an untenable situation," he said.

The council will also consider asking the Local Agencies Formation Commission to annex the balance of the city to the Rodeo Fire Protection District.

— Heard a presentation by Paul Badger of the East

Bay Regional Park District and a spokesman from the Contra Costa Coastal Corridors Parks group describing a proposed parkland corridor between Pt. Pinole and Martinez.

A proposal by CCCCP that the city participate in a study with EBRPD to include a portion of Hercules flatland adjoining the shoreline and currently used for Little League fields in the regional park system did not receive support.

Fawcett informed the group that a developer currently has an option on the land and that the value is more than \$1 million.

AP Times 8/18/77

Walnut Creek Trims Tax Rate by 7 Cents

WALNUT CREEK — If you have been bracing yourself for this year's tax bite, you can relax a little bit.

The City of Walnut Creek won't be taking quite as much as it expected from its property owners.

The city has set the 1977-78 city tax rate at 93 cents per \$100 of assessed valuation. That's a seven-cent drop from the 1976-77 rate of \$1. The 93-cent rate is two cents lower than the city was predicting when the 1977-78 budget was drawn up.

Because of the increase in assessed valuation in the city, when the budget was adopted in June the council expected to be able to cut the tax rate five cents and still take in the extra \$190,000 in property taxes needed to run the city this coming year.

But now, city fathers say, they can cut the tax rate two cents more and still wind up with the same \$190,000 extra.

This year's tax cut, of course, is actually a tax increase for most Walnut Creek property owners. That's because the county has raised tax assessments on most Walnut Creek homes.

The owner of a house with an assessed value of \$70,000 last year would

have paid \$157 in city taxes last year.

This year, with the tax rate dropping from \$1 per \$100 of assessed valuation, to 93 cents, a \$70,000 house would cost the owner \$145 in city taxes. The clinker is assessed valuation increases.

During discussion Tuesday night before the city set the tax rate, Walnut Creek City Council members considered cutting the tax rate even lower than 93 cents.

"I think we should be hard on ourselves," Councilman Dick Hildebrand

told the rest of the City Council.

Councilman Bill Armstrong agreed. "I think the likelihood is that the city's sales tax revenue will be a little higher than anticipated," he said.

But the majority decided to stick with the 93-cent rate. City officials fear that if the legislature passes a pending tax reform bill, cities might have to use their 1977-78 tax rates as the basis for further tax cuts.

Property tax 'guesstimate' — going up

When the new assessments came out a few months ago — with increases up to 30 percent in some neighborhoods — a lot of taxing agencies issued statements that their tax rate would be cut in order to avoid a "windfall" increase in taxes.

But now that the time approaches when those agencies will be setting their tax rates, how does it look for the home owner?

Taxes will be up over last year — but probably not the full amount of your assessment increase, according to a survey taken among taxing agencies by The Press.

Based on projected tax rates, for a home with a 15 percent increase in assessment, Berkeley will have, by a rough estimate, a six percent increase in taxes, while Oakland, also on a rough estimate, will have a 12 percent increase.

All figures are "guesstimates" because final figures on the county's assessed valuation from the assessor's office and the state board of equalization have yet to be computed against proposed budgets. Final tax rates, which are set by the county auditor's office, city councils, AC Transit, BART, the Regional Parks and EBMUD, will be issued later this month or in August.

But using educated guesses regarding assessment increases, a number of taxing agencies have made projected estimates of their budgets and tax rates. And almost all those projections spell increased taxes for homeowners.

Schools and city rates are expected to decrease, the county expects to remain the same, and only one — mos-

quito abatement — predicts an increase in the tax rate.

But multiplied by the increase in assessments, which is estimated from 10 to 15 percent, only one taxing agency — the Berkeley Unified School District — will actually hold the line on taxes.

In the case of the Berkeley schools, if they follow through with their projected tax rate decrease of \$1.40 per \$100 assessed valuation, they will probably have the honor of being the only taxing agency to decrease taxes.

Because the time to object is now, when budgets are still under discussion, a run-down of projected tax rates for the various agencies follows:

County tax — Based on an estimated 15 percent county-wide assessment increase, the county administrator's office has recommended to the board of supervisors that the tax rate (\$3.11) remain the same. The budget is currently under discussion. If adopted, the tax rate will mean actual taxes will correspond to the increase in your new assessment.

Oakland City — Based on an estimated 10 percent increase in assessments for Oakland, a reduction of up to 18 cents on the old tax rate of \$2.94 is possible. The rate will be set in August.

The projected decrease is a 6 percent reduction in the tax rate; if your assessment went up 6 percent, you will pay no more city taxes than last year.

Berkeley City — The Berkeley city manager has recommended a 15 percent reduction in the tax rate, down from \$3.67. The new rate will be set later this month. The recommended reduction is a 4 percent cut in the tax rate; if your assessment went up 4 percent, you will pay no more city tax than last year.

Oakland Schools — The rate may be reduced by 40 to 43 cents, down from last year's \$6.13, based on a 10 percent

Continued on Page 4

Tax guesstimate

Continued from Front Page

assessment increase and the expiration of the 20 cent permissive override tax for earthquake safety. The reduction would be a 7 percent cut in the tax rate.

Berkeley Schools — The district is projecting a decrease of \$1.40 from the old rate of \$6.48, based on assessment increases of 13 percent and declining enrollment. The reduction would be a 22

percent decrease in the tax rate.

Community Colleges — The Peralta Community College District has not projected their tax rate. A spokesman said the district is working with a 10 percent increase in assessments and a 6.7 percent increase in the budget. The tax rate is set by the county, but the budget is not reviewed by same.

County Schools — Special Education — A catch-all for over two dozen tiny tax rates, including juvenile hall, general operating tax rate, foster homes and costs of educating immigrant children. County sets the rate but does not review the individual budgets. A preliminary estimate predicts a half cent decrease in the total tax rate, a reduction of 3 percent.

County Flood Control — County-wide tax of .014 cents is expected to remain the same.

Flood Control — Oakland — Tax rate is expected to decrease one cent, from 24 cents. Reduction would be 4 percent cut in tax rate. Flood control budgets are reviewed by the county.

Air Pollution Control — No projection. District assessments are predicted at 10.5 percent increase, while the budget is expected to increase 3.8 percent.

Mosquito Abatement — Bud-

get may go up 22 percent, due to land acquisition, which would make the rate increase from one cent to .012 cent. County sets rate, no review.

AC Transit — No projection. Rate went down less than one cent last year. Decrease expected, but may not be substantial. Sets own rate, deadline is end of August.

BART — Estimated decrease of one cent on old rate of 42 cents. Rate has been decreasing by 7.5 percent each year since 1971. Special BART tax for Berkeley to pay off special bonds for underground stations. Sets own rate, deadline end of August. Reduction would be 2 percent on the tax rate (additional 6 percent in Berkeley).

East Bay Regional Parks — Has statutory rate of 20 cents, which is equalized between the two counties. Here it is .1950 cents. Theoretically possible for it to decrease, but unlikely to occur.

EBMUD and EBMUD Sewage District — No projection. For the last two years, the rate decreased one cent each year. Rate last year was .124 and .09 cents.

The new total tax rates, using the above reductions, would be \$14.22 for Berkeley and \$14.14 for Oakland.

—M.B.

January 17, 1978

RECEIVED

FEB 03 1978

MINUTES
REGULAR MEETING
EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS

2:00 p.m.
EBRPO
CONTROLLER

Tuesday, January 17, 1978

BART Headquarters

A. ROLL CALL

President Paul Badger called the regular meeting of the Board of Directors of the East Bay Regional Park District to order at 2:05 p.m., Tuesday, January 17, 1978. The meeting was held in the Board Room at BART Headquarters, 800 Madison Street, Oakland.

Present: All Directors were present: Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt. Due to business commitments, Directors Cogswell and Costa arrived later and did not participate in any of the Board discussion or actions taken during the first hour of the meeting.

Staff: General Manager Richard C. Trudeau, Asst. General Manager Jerry D. Kent, Chief of Administration Robert Owen, Controller Ralph Meilandt, and Department Heads: Hulet Hornbeck, Chief of Acquisition; Lewis Crutcher; Chief of Planning and Design; Christian Nelson, Chief of Parks and Interpretation; Larry Olson, Chief, Public Safety; Dennis Beardsley, Acting Development Administrator; Karen Weber, Personnel Manager; Staff Members: Bill Gries, Judy Walsh, Grace Lewis, Harold Luhtala, and District Counsel Donn Black (Wendel, Lawlor, Rosen & Black).

Visitors: Although a number of visitors attended the meeting, only Jean Oakes (Leslie Salt) signed the Log.

B. APPROVAL OF AGENDA

On motion of Director Jefferds, seconded by Director Kessel, the agenda for the meeting was approved by unanimous vote of the five Directors present, subject to deletion of Items 3 "d" and "e" at the request of staff. These would be included on the agenda for a February Board meeting.

C. APPROVAL OF MINUTES

On motion of Director Jefferds, seconded by Director Leavitt, the Minutes for the Board meeting of January 3, 1978, were approved by a vote of 4 to 1 abstention. Director Kessel abstained as absent from the January 3 meeting. The Minutes were approved subject to additional comments by Director Jefferds as follows:

Page 8, second paragraph, in response to Mr. Nicoles comment about leaving use of chemicals to the discretion of the people in the field, Director Jefferds followed up with the statement that inclusion of the use of chemicals as a "last resort" did not limit staff discretion in judgment, that it was still up to staff to determine whether it was indeed a "last resort" or not.

Page 10, Communications, Director Jefferds suggested the addition of a sentence to the second paragraph to indicate that the Board directed the General Manager to respond to Berkeley City Manager Elijah B. Rogers that the District would be interested in discussing joint use of the Schools for the Blind and Deaf property.

D. BUSINESS BEFORE THE BOARD

1. CONSENT CALENDAR

On motion of Director Leavitt, seconded by Director Jefferds, Consent Calendar items "d", "e" and "f" were approved by unanimous vote. The adopted resolutions are listed below. Items "a", "b" and "c" were taken off the Calendar for discussion at the request of Director Jefferds.

a. Approval of Job Description for Shuttle Driver-Conductor.

Director Jardin asked about the outcome of the meet and confer session with Local 2428 on the three job classifications. Chief of Administration Robert Owen advised that the union had no problem with the job descriptions, with the exception of the Shuttle Driver-Conductor on which there is some question on the hourly rate.

Director Jefferds noted that the draft resolutions included the statement that the classifications were part of the bargaining unit of the District's current agreement with Local 2428, and asked for an explanation.

Chief of Administration Owen responded, first to Director Jardin's question, stating that the union felt the \$3.80 hourly rate for the Shuttle Driver was too low and that staff recommended the \$3.80 rate on the basis that it matches that of the Park Attendant at Del Valle in kinds of hours and requirements. Mr. Owen said staff felt the rate was legitimate and the union has the ability to come back and challenge the rate if they still feel it is too low.

In terms of the identification of the union, Director Jefferds said it did not contribute to the job description and that it was inappropriate to include it in the resolutions. Counsel Black commented that the intent here was to settle any question that might come up as to whether a classification was in the union and this was a way of resolving any issue. Director Jefferds said that this was a matter for the District's agreement with the union and that to do it with these three positions was inappropriate, unless it is done on all the positions. Mr. Owen explained that it was the staff intent in the future to identify by resolution whether a position is represented by Local 2428.

Director Kessel stated that listing the union representation added security to the position. General Manager Trudeau also pointed out that the identification helps in case of a dispute and makes it clear cut.

Director Jardin moved to approve the job descriptions, not only for the Shuttle Driver-Conductor, but for Senior Dispatcher and Sign Maker's Helper as well (items "b" and "c" below). Director Leavitt seconded the motion. The action covered three separate resolutions which were adopted by a vote of 4 to 1. Director Jefferds cast a "no" vote for the reason stated above.

Resolution No. 1978-1-13, a copy of which is attached for reference, approves the position description and hourly rate of \$3.80 for the Shuttle Driver-Conductor.

b. Approval of Job Description for Senior Dispatcher.

By the action indicated above Resolution No. 1978-1-14 was adopted by the 4 to 1 vote to cover the job description for Senior Dispatcher. The Senior Dispatcher is a full time permanent employee with the Public Safety Department with a starting salary of \$950 per month to \$1,110 after 36 months. A copy of the resolution is attached for reference.

c. Adoption of Job Description for Sign Maker's Helper.

Resolution No. 1978-1-15 covers this Board action. This position is in Range VIII with a starting salary of \$1,044 per month to \$1,168 after 36 months. A copy of the resolution is attached for reference.

President Badger commented that the word "helper" in the job title would indicate almost a beginning position without any background, although the job description indicates some experience. Mr. Badger felt that the job title was not commensurate with the salary and that staff at some time in the future consider changing the title.

d. Award of contract to purchase one (1) 9-Passenger Van.

Purchase of this Van was approved by the original Consent Calendar motion of Director Leavitt, seconded by Director Jefferds. Resolution No. 1978-1-16 covers the Board action and awards the contract to Maggini Chevrolet, Berkeley, at \$5,623.00, plus applicable taxes. A copy of the resolution is attached for reference.

Director Kessel suggested that staff in awarding these contracts not necessarily grant an award to the lowest bidder, but on the basis of District service records as well. Staff assured Mr. Kessel that past performance and service is taken into consideration and that in this case the award should go to the low bidder.

e. Approval of Demands - January 17, 1978.

Consent Calendar Resolution No. 1978-1-17 approves the Demands for the period ending January 17, 1978, totaling \$439,531.63. A copy of the resolution is attached for reference.

f. Acceptance of Financial Statement - December 31, 1977.

By the Consent Calendar motion the Financial Statement for the period ending December 31, 1977 was accepted and ordered filed. A copy of the Statement is available for public inspection at District Headquarters.

2. PLANNING and DESIGNa. Award of contract for Phase 1B at Martinez Shoreline to R. E. Jones, of Concord, for \$703,981.00 after bidding and allocation of budgeted District and City funds to complete the project.

Assistant General Manager Jerry Kent distributed copies of a "First Amendment to Revised Master Agreement, Martinez Regional Shoreline" to the Board Members. Mr. Kent explained that this document in the Board packet was referred to as a letter agreement, but that upon advice of Counsel Black to give it legal standing and assurance of funding by the City of Martinez, it was made into a formal amendment to the master agreement with the City of Martinez.

Mr. Kent specifically reviewed the exhibit attached to the document which indicated that the City of Martinez will contribute \$708,396 to the project and the District will contribute \$385,606. Mr. Kent said the master agreement provides that the District will carry out the land acquisition, estimated at \$200,000, and that the District proposes to contribute \$185,606 in development (20%) and the \$200,000 out of the 80% for land acquisition. The District, Mr. Kent said, has been working to acquire five inholdings in the project area to round out the park boundaries.

The total project budget, including land acquisition and development, is \$1,166,002 for both the city and regional project, Mr. Kent said. The District, he said, has spent \$171,000 to date for acquisition, with one additional inholding remaining and \$29,000 left in that part of the budget.

The resolution which the Board was requested to adopt was (1) to approve a project budget of \$966,002 for the development portion of the shoreline project; (2) approve a District contribution of \$185,606 for development and Martinez' contribution of \$780,396; (3) approve a payment schedule for the City of Martinez; and (4) approve an additional sum of \$1,377 to complete funding of Phase 1.

Mr. Kent stated that the master agreement requires the District, once a bid contract is let for the capital construction, to inform the City of Martinez when the funds will be needed to pay for the contract or portions of the contract and as the bills come in from the contractor the District would notify the city 30 days ahead, they would deposit the necessary amount of money to pay for that stage of the work and the District would make payment from those funds. The resolution, Mr. Kent said, provides a specific schedule of payments by the City of Martinez, so the District will know where the money is coming from. Mr. Kent said the City of Martinez will be using several different sources of funding, including HUD and Land and Water Conservations fund.

Counsel Black explained the technical aspects of the proposed amendment and stated that the master agreement provided that monies needed to be advanced for current expenses before grant funds are received, would be proportional advanced by both parties. Mr. Black said the amendment states that the District has the right, but not the obligation to advance monies to meet the cash flow purposes of the project. In other words, Mr. Black said, the District would advance the funds, however without interest, and would reimburse itself when the grant funds or the contribution from the City of Martinez is received.

Mr. Black repeated that the District would reimburse itself the actual advances without interest and that the City of Martinez agrees to adhere to the indicated payment schedule with the proviso that if the contract is delayed and therefore some of the grant funds are not payable until the work is completed, the city is excused on that basis. Both parties agree, Mr. Black said, that should any of the grant funds be withdrawn or not be forthcoming for any reason, each party will advance from other sources its proportionate share of the project budget.

President Badger asked if the amendment would require State and Federal Government approval. Mr. Black said it did not, as the statute provides only that any change in the land use plan will have to be approved by the State Lands Commission and that none of the Board actions constitute a change in the land use plan because the configuration of the capital development, as shown in the land use plan, does not change.

Director Jardin asked Counsel to explain the advance of District funds without interest. Mr. Black stated that if for some reason the City of Martinez funds aren't forthcoming, the amendment gives the District the right, but not the obligation, to advance all the money to pay the contractor, for example, if necessary to keep the job going. If the District decides to do this, Mr. Black said, the District is only entitled to reimburse

the actual advance, when the grant monies come in or the City otherwise pays its share. The amendment does not provide for interest on the advance for the period of time that the District makes payment and is reimbursed, Mr. Black said.

Director Jardin said if the advance is for a period of three to six months, interest revenue which the District would receive from investment of such funds would be lost. Mr. Black stated that under the amendment the District is not obligated to make the advance. If the District was obligated to make the advance there would be no question, Mr. Black said, that the District would be entitled to interest. Mr. Black also stated that by the amendment the City has the contractual obligation to make their share of the funds available and the situation would not come up unless the city failed to meet that obligation.

Dennis Beardsley, acting on behalf of the Development Administrator, commented that he had discussed this with Martinez City Manager Lee Walton and basically because the grants involved are reimbursement programs with a 30 day lag between the time the money is spent on the project and its receipt, the interest may not be that great.

Director Jefferds asked if the prospect of the City of Martinez undertaking to pay the penalties for not coming through in time had been taken up with the City. Mr. Beardsley said he had specifically asked the question and Mr. Walton advised that the City has very little general fund monies available, that most of these monies are grant funds, none of which can be used to pay interest.

Responding to Chairman Badger, Counsel Black stated that the District has the same recourse when somebody defaults on their debt and that they are entitled to 7% interest while it is in default. Mr. Black stated that if this was of concern to the Board, it could be suggested to the City that the District be reimbursed for any demonstrable loss of interest.

General Manager Trudeau said he would like to see the interest paid, because if the District has the money and it is invested, the District will be getting a return on the funds, and particularly if the Jarvis amendment goes through in June, the District is going to need every dollar it can get, or by next February the District may be running short.

Controller Meilandt also commented that since a progress payment schedule is provided, the chances of the amount of interest that might be lost would not be very great and that one of the major considerations in grant funds is the ability to fund cash flow. This is incumbent upon the City of Martinez and any other public agency in order to fulfill the requirements inherent in a grant contract. You have got to be able to fund cash flow, Mr. Meilandt said. Mr. Beardsley said the grants contracts which the City of Martinez has for the project have all been signed and there is the obligation to pay within the terms of the contracts.

Mr. Beardsley explained the various sources of fund, the first of which was \$200,000 in revenue sharing funds due to the District on or before February 15. General Manager Trudeau asked if there was any reason that these funds couldn't be submitted to the District now, rather than in mid February. Mr. Beardsley said the City is being asked to deposit the \$200,000 to the account before the District incurs any cost on the contract itself. Mr. Trudeau commented that if the District had the funds now, it could cover any loss of interest later. Mr. Beardsley said that such a request could be made to the City of Martinez. It was suggested that Counsel Black incorporate the appropriate wording on interest in the amendment.

General Manager Trudeau stated that in no event should the contract be awarded to the low bidder until the amendment has been executed by the City of Martinez, as new city

council members are being installed. Otherwise, he said, if the contract is awarded, the District is obligated to fulfill the contract. Mr. Kent added that the Martinez City Council will be meeting on Wednesday, January 18, and that this is on the agenda for that meeting.

In order to give additional time for Counsel to amend the draft resolution as well as the amendment, the Board proceeded to discuss the next item on the agenda, while Counsel considered the additions. Upon completion of additional wording in the draft resolution suggested by Director Jefferds, as well as additional wording in the amendment itself to provide that "notwithstanding anything to the contrary, should either party fail to promptly to make a project budget payment when due or advance its share of funds required to pay current expenses of the project, the other party shall have the right, but not the obligation, to advance such delinquent funds. To the extent of any such advances, such party shall be reimbursed in the amount of such payment, plus simple interest thereon of 7% until paid from the next monies deposited in the capital development account."

Counsel Black also added a sentence to the end of the payment schedule to provide for "all grant funds to be deposited in the capital development account as soon as received by either party, notwithstanding the specific deposit dates."

With the Board's concerns satisfied, Director Leavitt moved to approve the amendment, which was seconded by Director Kessel. Resolution No. 1978-1-18 covers the Board action and was adopted by unanimous vote. Director Leavitt also moved to award the construction contract to R. E. Jones of Concord and allocation of budgeted funds to complete the project. Director Jefferds seconded this motion. Resolution No. 1978-1-19 covers the Board action, also by unanimous vote. Copies of both resolutions are attached to these Minutes for reference.

b. Approval of Planning and Design Department Reorganization and adoption of position descriptions.

Chief of Planning and Design Lewis Crutcher explained the need to reorganize the Planning and Design Department because of the increased emphasis on capital development over the last few years instead of on planning. With the dramatic increase in the volume of work, Mr. Crutcher said it was necessary to restructure the department for efficiency. The department now has three subordinates, Mr. Crutcher said, reporting directly to him, with one person in charge of construction management, another in charge of design, and another in charge of planning. All of this, he said, was spelled out in the Board packet.

Mr. Crutcher asked for Board approval of the new table of organization and job descriptions for Construction Manager, Principal Planner, Senior Construction Inspector, Engineering Supervisor and a revised description for the Landscape Architect. This, Mr. Crutcher said, will provide flexibility in hiring and not hiring outside consultants for District projects. Mr. Crutcher said that Chester Robinson would be promoted to the position of Senior Construction Inspector to supervise construction projects, having 25 years of experience in the field.

Mr. Crutcher said the planning function has been removed from the position description for landscape architect, so that position can concentrate on design and construction. In terms of cost, Mr. Crutcher said, the District has eliminated almost as many positions as were created and that the major saving will be in the construction management and not having to go out for inspection. Mr. Crutcher felt that staff would be able to do the work more efficiently, with better coordination and better continuity in the work and saving the District about \$62,000 next year and thereafter.

Mr. Crutcher stated that Director Costa's concerns about the construction management position description have been resolved as the description follows AIA construction management service requirements.

Director Kessel inquired about the District's attitude and experience on outside construction management. Mr. Crutcher responded that construction management as a tool is essential to meet the District's tight schedule and that sometimes there will be need to go outside for such services, but that it is far more efficient to do this inhouse. That way, he said, the District is not only aware of problems early but can take care of them early and has a direct handle on the problems.

Director Leavitt moved to adoption the new organization structure of the department and complimented Mr. Crutcher for what appears to be an effective, efficient reorganization and particularly for addressing himself to the concerns of the Board on the high cost of outside management consultant fees. Director Jefferds seconded the motion. However, before the vote was taken, a number of other questions were posed by the Board.

Director Jefferds noted that three of the positions were union positions and two non-union and asked if the non-union positions would be advertised and go through the interview process. Chief of Administration Bob Owen responded that the position of Construction Manager would be advertised but that it may not be necessary to go outside for the Principal Planner position which would be a reclassification and can be done internally, assuming the District doesn't have more than one qualified person. Mr. Owen, also responding to Director Jefferds question, said the position is presently a union position and assuming that individual were to apply, he would come out of the union. This change, Mr. Owen said, has been accepted by Local 2428. Director Jefferds suggested that this information should have been included in the Board packet.

Director Jefferds also asked when the present contracts with the construction management people are expected to terminate. Mr. Crutcher said three projects were involved: Garin, George Miller, and Martinez; that Garin is almost done; George Miller is completed and the Martinez waterfront is underway. Mr. Crutcher estimated that the construction contracts should be completed by June.

Director Badger suggested that the job description for Civil Engineer require that the individual be licensed by the State, rather than the substitution of four years of experience, in order that they can complete on the same level with licensed engineers in their field contacts. Mr. Crutcher said this may be a legal requirement and that any interviews and information to applicants would be based on the fact that they must be licensed. General Manager Trudeau cautioned that the position of Civil Engineer is not in this year's budget and that it may not be in the next.

Director Jardin questioned the position salary for Construction Manager. Mr. Crutcher stated that an inflation factor of 5½% had been added, anticipating this inflation factor on all salaries next year. Director Jardin commented that starting someone in Grade "b" wasn't appropriate, inasmuch as the District hasn't gone out for interviews. Mr. Crutcher said this was done only for comparison purposes and assured Mr. Jardin that "this was not stuck in concrete".

As there was no further discussion, President Badger asked for a vote on the motion, which passed unanimously. Resolution No. 1978-1-20 covers the Board action adopting the revised table of organization for the Planning and Design Department. A copy of the resolution is attached for reference.

Director Leavitt then moved to approve the five position descriptions and salary schedules. Director Kessel seconded the motion. The vote on the motion was 4 to 1, with Director Jefferds casting a "no" vote, again on the fact that the resolution itself

made specific reference as to whether the position was included in the bargaining unit represented by Local 2428 or not. Each of the job descriptions is covered by a separate resolution. Resolution No. 1978-1-21 covers the position for Construction Manager at a salary commencing at \$22,575 to a high of \$27,156; Resolution No. 1978-1-22 covers the position of Principal Planner at a salary commencing at \$19,417 to a high of \$23,316 and merit increases to \$25,572; Resolution No. 1978-1-23 covers the position of Senior Construction Engineer at a salary range from \$1,487 a month to \$1,671 a month after three years; Resolution No. 1978-1-24 covers the position of Engineering Supervisor at a starting salary of \$1,539 per month to \$1,731 after three years; Resolution No. 1978-1-25 covers the revised position of Landscape Architect at a starting salary of \$1,539 per month to \$1,731 after three years. Copies of the resolutions are attached for reference.

3. LAND ACQUISITION

- a. Authorization to purchase 0.44 acres from Thomas Lam for \$5,200 at Huckleberry Regional Preserve (Winding Way).

Following a brief report by Assistant Chief of Acquisition Bill Gries, Director Jefferds moved to approve the purchase of the Lam property for \$5,200. Director Kessel seconded the motion. Accordingly, Resolution No. 1978-1-26 was adopted by unanimous vote of the five Directors present, a copy of which is attached for reference. The resolution also provides an additional \$500 to cover legal and other expenses to complete the acquisition.

- b. Acceptance of Agreement with State Lands Commission on Brown's Island.

Although the Board did not adopt the draft resolution authorizing execution of the Land Bank Option and Lease-Back Agreement with the State Lands Commission for 595 acres at Brown's Island, the Directors highly endorsed the general concept on the exchange of property value to the State Lands Commission. This was done on the motion of Director Cogswell, seconded by Director Jardin, and passed unanimously by all Board Members, with Directors Cogswell and Costa arriving during the discussion. Director Leavitt had originally moved to adopt the draft resolution, which was seconded by Director Kessel. However, this was withdrawn at the request of President Badger in order that the proposed agreement could be amended by counsel and distributed to the Board prior to the next meeting.

The above actions were taken following a presentation by Chief of Acquisition Hulet Hornbeck and by Walter Cook, attorney for the State Lands Commission. In his opening remarks, Mr. Hornbeck stated that this matter was a continuation of a general proposal made during the spring and summer of 1977 when the Board authorized a District acquisition of 595 acres at Brown's Island. Mr. Hornbeck stated that the Port of Stockton is the other ownership on the island, owning approximately 100 acres.

Mr. Hornbeck stated that the agreement with the State Lands Commission permits units of the property to be used as mitigation or settlements with private parties or other public agencies. Concurrent with the program, Mr. Hornbeck said, the State would lease back to the District the very same property for a period of 66 years and that as each transaction comes forward it can be viewed separately by the Board and staff, that there are no pre-commitments. The amount of money involved, Mr. Hornbeck said, is \$135,000, which is the District's purchase price for the property.

Mr. Hornbeck said there was no State commitment beyond the 66 years and that the lands will be owned by the State in fee and reserve the mineral rights for the State. Extraction

of the mineral rights, Mr. Hornbeck said, cannot disturb the surface of the property which is similar to conditions of other District leases with the State.

Mr. Hornbeck read the purpose of the long term lease was "for management and protection of the leased premises for the purposes of its preservation as open space in a near natural and undisturbed state for wildlife and other environmental enhancements and preservation and for such public use as will not interfere with the purposes of the lease."

State Attorney Walter Cook commented that the agreement basically was an enabling document representing the policy of the Board of the State Lands Commission with respect to use of Brown's Island as a land bank and that the agreement was approved by the State Lands Commission at their December meeting. Some suggestions, Mr. Cook said, have been made by Mr. Hornbeck and District Counsel Donn Black with respect to the terms of the lease. Mr. Cook felt that these did not require additional action by the Commission.

Mr. Cook reviewed the concept of how a unit of land at Brown's Island would be used in each exchange transaction and read the following statement represented to the Commission that "in addition to constituting an effective program for trust identification, this type settlement avoids the cost, delays and uncertainties inherent in litigation and results in an increased tax base in clearing land while protecting the State's undisputed sovereign ownership of large areas of estuary land of significant environmental value for this and future generations.

Mr. Cook stated that the agreement is not totally self-executing, that at the request of the District, there is a provision with respect to any given transaction, that the District may decline. By this method, Mr. Cook said, the State is establishing Brown's Island as sovereign land of the State which cannot be disposed of without a constitutional amendment. It is sovereign land deeded to the State and is a great assistance in settlement of title disputes, Mr. Cook said.

Director Leavitt asked if the 66 year term of the lease could commence upon the total reimbursement of the funds to the District, rather than on a piece-meal basis. Mr. Cook said the agreement was for a year and that it was anticipated that by the end of the year all of the property will be acquired and that looking forward to 66 years, one year less isn't that important. Director Leavitt said his primary concern was in having a number of different leases with different termination dates and that it would be cleaner if it were a single package commencing on the day total reimbursement occurred. Mr. Cook said one lease was contemplated and that each time an interest is acquired, it will be added by amendment.

Mr. Hornbeck stated that if all the transactions cannot be accomplished within the proposed one year, it would be appropriate for staff to come back to the Board and anticipate a new beginning date. Mr. Cook also stated that he felt that the maximum amount of time allowable by law will be granted.

Director Cogswell questioned cost to the District. Mr. Cook said there was none, except in the event the District receives income, then the State reserves the right to establish a rental. Director Cogswell also asked at what point would it be legal for the public to use the property, or at what point could the District go ahead and sponsor visits to the island. Mr. Cook said that public use, if not inconsistent with the land bank purpose, could legally take place on execution of the lease by both parties.

Directors Jefferds and Cogswell stated their concerns about not having the document in hand. Mr. Hornbeck stated that a number of points and questions had been brought up by Counsel Black and that the first opportunity to discuss these with Mr. Cook was just prior to the Board meeting. Mr. Hornbeck said that it had been anticipated that these

would have been resolved in sufficient time to get copies of the documents to the Board in advance of the meeting, which, however, was not the case.

Director Jefferds commented that although she is fully in accord with the concept, she would not be able to vote on this resolution, because of the questions raised, without seeing the agreement. Director Leavitt said the Board had already approved the concept when it approved the acquisition evaluation and authorization to purchase and that under the terms of the agreement the Board still has the ability to approve or disapprove each individual transaction, and moved to approve the lease-back agreement. Director Kessel seconded the motion.

The Board did not vote on the motion, but continued with the discussion with Director Kessel complimenting Mr. Cook for this kind of interagency cooperation for their mutual benefit. Mr. Kessel said he had some reluctance in seconding the motion to approve the document without actually reading it, but since it will be coming back to the Board, he did not have any problem with it.

Director Cogswell questioned the restrictions on what the Park District does with the property in the lease-back agreement. Mr. Cook repeated the statement made earlier by Mr. Hornbeck on the land use purpose and felt that such public use would not interfere with the purposes of the lease. Director Cogswell commented that although it limits what the District can do on Brown's Island, it limits it in a good way and essentially makes it a wildlife preserve, rather than for development of an active boating center and anything like that.

Counsel Black reviewed the problem on self insurance. Mr. Cook said that it could be handled administratively, only requiring submission to the Department of General Services. Mr. Black also commented that the lease is said to be non-exclusive and the lease-back needs to be clarified so that the State's reserved rights are not inconsistent with the open space use.

President Badger asked how much time was anticipated to acquire the 595 acres. Mr. Cook stated that the agreement terminates at the end of one year and hoped that was adequate time to permit the transactions to fully transfer the title into the State and the District to receive back the purchase price. President Badger also asked how limiting the State Lands Commission was in regard to some other use that the District might want that might be incompatible with the use indicated. Anything beyond the stated use, Mr. Cook said, if it were changed from an environmentally protected area, would require an amendment to the lease by both parties.

General Manager Trudeau reminded the Board that when the District purchased the island, the District had agreed by letter to discuss any proposed development with the City of Pittsburg and the District would be violating its agreement with the City of Pittsburg in adopting the agreement without talking to that city first.

Since there were a number of points that needed clarification and some modification was required in the lease document, it was the decision of the Board to table this to the next meeting. Directors Leavitt and Kessel withdrew their motion, with Director Leavitt suggesting that some indication be obtained from the Port agency of Stockton with regard to their intended use of their holding on the island.

Director Jefferds suggested that the Board approve the concept, as there is no question about the concept and that the Board is eager to cooperate with the State Lands Commission. Director Cogswell made the motion for the Board to express itself as highly in favor of the general concept discussed. This was seconded by Director Jardin and passed by unanimous vote. The item will be on the agenda for the February 7 Board meeting.

- c. Authorization to purchase 0.04 acres in fee and 0.06 acres in slope easement from Edward C. Wiemken for \$1,500.00 for Garin Avenue Improvement Project.

On motion of Director Leavitt, seconded by Director Cogswell, Resolution No. 1978-1-27 was adopted by unanimous vote of the seven Directors authorizing purchase of the land needed for the widening project of Garin Avenue at a purchase price of \$1,050. The resolution includes \$450 for legal and closing expenses. A copy of the resolution is attached for reference. The Board action was taken without discussion, based on the information contained in the Board packet.

- d. Approval of Mitigation Agreement with CALTRANS at Hayward Shoreline.

At this request of staff this item had been deleted from the agenda and put over to a subsequent Board meeting.

- e. Approval of Contract with City of Hayward on purchase of property at Hayward Shoreline and related documents.

This item was also put over at the request of staff to a subsequent Board meeting.

At this point the President called a five minute recess before proceeding to the next agenda item.

4. REPORTS and PRESENTATIONS

- a. Auckland, New Zealand Regional Parks - Slides and Exchange Proposal.

Before the slide presentation General Manager Trudeau reviewed the exchange proposal made by the Auckland Regional Park District, a sister regional park agency, to send their Assistant General Manager to the United States for 12 months to gain wider experience in park administration, and particularly to work with the District. Mr. Trudeau said the District has done this previously with someone from Canberra, Melbourne and from the Netherlands, all of whom worked in the Planning Department.

Mr. Trudeau said his initial thought is that probably the person would be on the Auckland payroll and that the District could put him on as an intern for six months, which would give him a base of operation as well as some additional funds to live on. However, on the matter of sending someone down to New Zealand in exchange, Mr. Trudeau had some doubts, as did the Board, because of the Jarvis initiative.

Director Kessel commented that the climate is very similar to that of the Bay Area and that there are thousands of miles of shoreline, so there should be some comparable information available that would be useful to the District. Mr. Kessel said the proposal sounded exciting.

Director Jardin voiced his concern, that with the Jarvis initiative on the ballot the people are trying to tell local governments to stop some of the frills. Mr. Jardin said he had no objection to having someone from Auckland work within the District but that it would be inappropriate at this time to send an experienced person down there.

Director Jardin said it was the wrong time to do something like this. Chairman Badger suggested that having someone from New Zealand might give staff a new point of view on some things to improve District operations and since the person would be receiving his salary from Auckland, there should be no problem at least on that aspect. However, President Badger agreed with Director Jardin, as did Director Jefferds, that an exchange couldn't be considered at this time unless funding was available. It was suggested that the District might reciprocate by sending someone from the area next year, or when it is financially feasible.

Before Christian Nelson showed the color slides from Auckland, he reported on the development of the International Park-to-Park Program (IPP). Brochures of this program were distributed to the Board Members by Director Cogswell. Mr. Nelson said the idea was born with the District naturalist staff about two years ago. The program, Mr. Nelson said, is sponsored by the Western Interpreters Association as a "means to encourage an exchange of park concepts, management policies and programs between park managers and agencies of different counties." An individual membership, Mr. Nelson said, is \$5.00 and an agency membership is \$15.00. Mr. Nelson said the program was a very exciting concept and promised to keep the Board informed as memberships come in and the program develops.

Mr. Nelson presented the slides on the Auckland parks, but as no captions were included in the shipment, there was no way to identify the park areas.

5. BOARD OPERATIONS

a. Appointment of Board Committees for 1978.

President Badger announced the following committee appointments for the calendar year 1978:

<u>Finance:</u>	Kessel (Chairman), Costa and Jefferds
<u>Master Plan:</u>	Cogswell (Chairman), Badger and Leavitt
<u>San Leandro Bay:</u>	Leavitt (Chairman), Cogswell and Jardin
<u>Legislation:</u>	Kessel (Chairman), Costa and Leavitt
<u>EBMUD:</u>	Jefferds (Chairman), Badger and Jardin
<u>Shoreline:</u>	Jefferds (Chairman), Badger and Cogswell
<u>Executive</u>	
<u>(Bd. Advisory):</u>	Badger (Chairman), Jefferds and Leavitt
<u>Park Advisory:</u>	Costa (Chairman), Cogswell and Jardin
<u>Park Operations:</u>	Jardin (Chairman), Costa and Kessel.

Secondary Committees:

<u>Coyote Hills:</u>	Cogswell (Chairman), and Jardin
<u>Off Road Vehicles:</u>	Kessel (Chairman), Badger and Leavitt
<u>Hayware Area</u>	
<u>Shoreline:</u>	Cogswell (Chairman), and Jardin
<u>Trails:</u>	Costa (Chairman), and Jefferds
<u>Pension/Insurance:</u>	Leavitt (Chairman), and Kessel
<u>Martinez Shoreline:</u>	Badger (Chairman), and Jefferds
<u>Hdqtrs Remodeling:</u>	Costa (Chairman), and Leavitt
<u>Fisheries:</u>	Jardin (Chairman), and Costa
<u>Archery:</u>	Badger (Chairman), and Kessel.

Following the appointments and acceptance of the committee responsibilities by the Directors, President Badger suggested that the committee hold periodic meetings and submit written or verbal reports on any meetings that are held.

President Badger asked how the headquarters remodeling was proceeding. Director Costa reported that he had met with Mr. Crutcher and Mr. Harms of the Planning Department and that the staff is proceeding with the design work. President Badger suggested that the Board would be interested in receiving a report on how the project is progressing within the next six weeks or so.

President Badger presented the following proposals for the Board's consideration, which, he said, were not necessarily in the order of importance:

- Executive Sessions - to try to set up an executive or special meeting, or joint work session during the month after one of the Board meetings on separate days, which would constitute as an extra Board meeting, either in the afternoon or early evening as a combination dinner session where a good project can be put together.
- City area Relations - District concerns have been concentrated in large cities and large areas, with some of the lesser areas being neglected. District and Board should work together toward improving relations in this regard. It was suggested that Board Members attend some city council or other city meetings and participate and contribute something and let the cities know that the Board Member represents the District in that area and is concerned about what that city is doing. Contact with city council members, the mayor and city manager and staff, would be helpful in the District's overall relations and a duty of each Board Member, Mr. Badger said.
- Senior Citizens - work out a program whereby the District will contact Senior Citizen groups, including recreation groups that have an activity relating to senior citizens and let them know that the District and the Board is more than anxious to work toward presenting them with a program that will add to their enjoyment of life and the regional parks. President Badger pointed out the opportunity for a program at the Point Pinole pier and the possibility of A/C Transit running a tour out there once or twice a month. President Badger requested that emphasis be placed on senior citizen programs.
- Park Operations - there is need to be a little more aware of the activities in the parks and there is need to take a second look at what programs are available and how they can be upgraded and reviewed for a betterment of the program. Emphasis should be also placed on this during the year, in addition to the acquisition of land.
- Regional Government - Board should be concerned about regional government and if it comes about, the District ought to work towards having a major role or dominant position in the regional government of regional parks. The Board should look at it from that point of view, President Badger said, and suggested that this be an item for discussion at a forthcoming meeting.
- Tax position - Board should be concerned about the Jarvis amendment and what effect it will have on the District and what kind of emphasis should be placed on it.

On Regional Government, General Manager Trudeau advised that one of his prime duties at present is to read the mass of material on ABAG's regional government plan and to prepare a synopsis on it, as well as to attend a couple of the public hearings. Mr. Trudeau suggested that this subject could be dealt with in the proposed Board one day work retreat, as it will require more time to review than could be allotted at a Board meeting.

Mr. Trudeau also stated that the Jarvis amendment is another subject that needs to be covered at the work retreat. Mr. Trudeau also reported on the staff activity going on in Sacramento in an effort to get the legislature to pass some property tax relief legislation. Mr. Trudeau read a letter which he had drafted to be sent to all of the eleven District area legislators, each of which was hand typed and included reference to District programs taking place in each area. The letter received the Board's enthusiastic support and was signed by each of the Directors.

For the Jarvis amendment, Mr. Trudeau stated that at this point a finance plan has to be developed in the event the Jarvis initiative is passed. This, too, will be a time consuming subject, hence Mr. Trudeau suggested it as an item for the work retreat.

E. ADDENDA TO AGENDA

None.

F. COMMUNICATIONS

On the communications General Manager Trudeau advised that the letters included in the Board packet were self explanatory. Those referring to land will be discussed in Executive Session, Mr. Trudeau said. The others will be responded to by staff. Director Cogswell asked what the response would be to the gentleman who requested a launching ramp at Point Pinole. Mr. Crutcher stated that he is responding to the letter and will advise that it would be difficult to put any kind of launching ramp within the framework at Point Pinole and as a direct response, the answer is "no".

G. COMMENTS - GENERAL MANAGER, BOARD, PUBLIC

General Manager Trudeau announced that in order to have the Jarvis Initiative discussed at the 30th Annual California and Pacific Southwest Recreation and Park Conference in Fresno, he has agreed to chair a special session on Sunday, February 26, on the subject. Mr. Trudeau stated that Bill Niepoth of the Association will also participate in the presentation.

Mr. Trudeau noted that McAlister's unemployment compensation measure failed to pass the Assembly by the 2/3s majority and that he has asked that it be reconsidered. Mr. Trudeau also reported on the status of a number of other pending legislation.

Mr. Trudeau also announced the birth of a daughter on Friday, January 13, at 3:53 p.m. to Linda Chew, the District's Development Administrator. Mr. Trudeau said Mrs. Chew was the first department head to be able to avail herself of the District's maternity leave program.

Director Kessel brought up the subject of Board compensation, noting that the matter had been discussed at the January 3 meeting and that there was some kind of consensus

and that perhaps it could be resolved at this time. This was one of the charges of the Legislative Committee, Mr. Kessel said, and suggested that the discussion be reopened. As no formal action had been taken at the January 3 meeting, Director Leavitt moved to adopt the resolution originally presented with some minor changes. This included \$50.00 additional compensation for each full Board executive session on another date or on a date to which a regularly scheduled meeting is not adjourned. Also, for attendance at each publicly noticed meeting, whether it be a standing Board committee meeting, public hearing or field trip, the compensation shall be \$25.00 for each such meeting. Third, that in no event shall a Director receive in excess of \$200 for attendance at meetings during any one calendar month.

Director Kessel seconded the motion and after assurances from Counsel that this action was within the Board's prerogative and after some further discussion, the Board adopted Resolution No. 1978-1-28 by a vote of 5 to 2. Directors Jardin and Jefferds cast "no" votes. A copy of the resolution is attached for reference.

In addition to the above action, it was requested that the District's Legislative Advocate proceed to have the legislation amended so that committee meetings or field trips need not be publicly notice, but that for the time being the Board will be guided by the present interpretation of the law and have the meetings publicly noted.

Director Jefferds suggested some kind of intern assignment be considered for the preparation of records on a long range preventive maintenance program. Director Jefferds asked that this be considered and reported back to the Board.

On meetings, it was announced that a Special Executive Session had been called for January 31, 1978 at the District Headquarters on land acquisition matters, commencing at 5:30 p.m. The agenda of the meeting to be mailed by Mr. Trudeau to the Board.

Director Jefferds also announced that the Shoreline Committee would be meeting at District Headquarters the afternoon of January 24.

Christian Nelson reported briefly on the District's Challenge Hike Program and displayed and displayed a jacket of the emblems that were available to the participants.

H. ADJOURNMENT

As there was no other business to come before the Board, the Directors adjourned into Executive Session with Attorney Jack Rogers on land acquisition. As no formal action was taken following the Executive Session to Board meeting adjourned at 6:30 p.m.

Respectfully submitted,

Harold R. Luhtala, Secretary

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-1-13

January 17, 1978

ADOPTION OF POSITION DESCRIPTION AND RATE FOR SHUTTLE DRIVER-CONDUCTOR

WHEREAS, Staff has demonstrated the need to add the position of Shuttle Driver-Conductor; and

WHEREAS, Meet and Confer requirements of the District's Memorandum of Understanding have been completed;

NOW, THEREFORE, BE IT RESOLVED that the position description of Shuttle Driver-Conductor is hereby adopted as follows:

SHUTTLE DRIVER-CONDUCTOR

Established 1977

Reports to: Park Supervisor

DEFINITION: Under supervision to operate and/or be a conductor on a park shuttle vehicle in Regional Parks and to do other minor maintenance work as required.

TYPICAL TASKS: Operates and/or acts as conductor of gasoline, propane, or electrical powered shuttle vehicle hauling passengers throughout park.
Points out places of interest and relates history of park to park users when required.
Performs basic maintenance on vehicle, such as cleaning the vehicle, checking radiator, oil, tires, etc.
Has frequent contact with the public, providing park users with information and directions; advising as to Park Rules and Regulations.
During low-use periods, performs minor maintenance, such as picking up litter, sweeping, raking, cleaning, etc.
Collects fees, makes change, keeps records, and deposits money.

MINIMUM QUALIFICATIONS:

Education: Equivalent to completion of twelfth grade.

Tests: Must pass a series of driving tests conducted by District's Safety Consultant.
Must pass medical examination.

Bonding: Must qualify to be bonded.

KNOWLEDGE, SKILLS and ABILITIES:

Ability to operate mechanical equipment.
Basic knowledge of vehicle maintenance.

Knowledge, Skills and
Abilities:

Ability and willingness to maintain harmonious working relations with public and fellow employees often under adverse conditions.

Possession of a valid California Driver's License is required.

A Park Shuttle Driver works in a prescribed uniform and may be required to work unusual hours, weekends and holidays as assigned.

SALARY: \$3.80 per hour; classification: hourly-permanent.

; and

BE IT FURTHER RESOLVED that the rate for this position will be \$3.80 per hour; and

BE IT FURTHER RESOLVED that the above classification shall be included in the bargaining unit of the District's current Agreement with AFSME, Local 2428.

Moved by Director William F. Jardin, seconded by Director John J. Leavitt, and adopted this 17th day of January, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Director Mary Lee Jefferds.
ABSENT:	Directors Howard L. Cogswell and Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-1-14

January 17, 1978

ADOPTION OF THE POSITION DESCRIPTION FOR SENIOR DISPATCHER

WHEREAS, Staff has demonstrated the need to add the position of Senior Dispatcher; and

WHEREAS, Meet and Confer requirements of the District's Memorandum of Understanding have been completed;

NOW, THEREFORE, BE IT RESOLVED that the position of Senior Dispatcher is hereby adopted as follows:

SENIOR DISPATCHER

Reports to: Supervisor of Records and Communications

DEFINITION: A Senior Dispatcher is a full time permanent employee of the Department of Public Safety and is a working supervisor with an assigned shift in the Communications Center. Supervises radio operations by Dispatchers. Reviews processing of clerical work, maintains files and provides for the servicing of Public Safety Vehicles.

TYPICAL TASKS: Receives telephone calls from citizens or other agencies requesting police or fire assistance; analyzes situations and sends the appropriate units; dispatches mobile units and other equipment to specified locations as ordered; makes telephone requests for ambulance, tow car, or other emergency services as requested by officers in the field. Monitors other law enforcement and fire agencies' radio frequencies and rebroadcasts pertinent information. Operates and makes minor adjustments to radio telephone transmitting and receiving equipment. Performs varied clerical duties such as typing messages, operating a teletypewriter, maintenance of message logs, assistance on reports and records, filing and answering inquiries from the public and other agencies.

KNOWLEDGE, SKILLS and ABILITIES:

Possess the ability to communicate with subordinates; react effectively under stress and emergency conditions; write comprehensive reports; speak and write clearly, maintain harmonious working relationships with fellow employees of the Department and the public; evaluate the performance of Dispatchers as required; direct and counsel subordinates on goal attainment.

WORKING CONDITIONS:

The Senior Dispatcher has responsibility for communications operations during a specific time period. The Senior Dispatcher will provide a maximum of supervision and assistance to Dispatchers.

JOB EXPERIENCE

QUALIFICATIONS: Two years experience as a Dispatcher for the East Bay Regional Park District Department of Public Safety; or three years experience as a dispatcher for a public safety agency; or four years experience as a dispatcher for a private or public agency.

Education: Graduation from High School.

BE IT FURTHER RESOLVED that the rate for this position will be as follows:

<u>Start</u>	<u>6 Mo.</u>	<u>12 Mo.</u>	<u>24 Mo.</u>	<u>36 Mo.</u>	
\$950	\$987	\$1,025	\$1,060	\$1,110	; and

BE IT FURTHER RESOLVED that the above classification shall be included in the bargaining unit of the District's current Agreement with the Police Association.

Moved by Director William F. Jardin, seconded by Director John J. Leavitt, and adopted this 17th day of January, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Director Mary Lee Jefferds.
ABSENT:	Directors Howard L. Cogswell and Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-1-15

January 17, 1978

ADOPTION OF THE POSITION DESCRIPTION FOR SIGN MAKER'S HELPER

WHEREAS, Staff has demonstrated the need to add the position of Sign Maker's Helper; and

WHEREAS, Meet and Confer requirements of the District's Memorandum of Understanding have been completed;

NOW, THEREFORE, BE IT RESOLVED that the position description of Sign Maker's Helper is hereby adopted as follows:

SIGN MAKER'S HELPER

Reports to: Sign Maker

DEFINITION: Under supervision, to do semi-skilled sign making work; and to do other work as required.

TYPICAL TASKS: Carves, shapes, and finishes signs to specifications.
Performs work related to screen process printing, such as making silk screen frames, stretching and preparing fabric, operating and cleaning process printing systems.
Cuts stencils of various masking materials for painted and sandblasted signs.
Cleans and maintains brushes and other equipment.
Maintains sign shop in orderly, safe condition.

MINIMUM QUALIFICATIONS:

Education: Graduation from high school or equivalent, and

Experience: Two years experience in a semi-skilled capacity in the sign making field.

or

Four years of recent, continuous employment that indicates the ability to perform work to exacting specifications and directions.

KNOWLEDGE, SKILLS and ABILITIES:

Ability to follow detailed instructions, and to do wood working to written specifications.
Desire to do exacting work that indicates a high level of craftsmanship, with mature work habits.
Basic knowledge of screen process printing.
Skilled in the safe operation of power equipment, such as power saws, routers, and sanders.

Knowledge, Skills and
Abilities:

Ability to work effectively with others to achieve
production goals.

BE IT FURTHER RESOLVED that the rate for this position will be Range VIII
as follows:

<u>Start</u>	<u>6 Mo.</u>	<u>12 Mo.</u>	<u>24 Mo.</u>	<u>36 Mo.</u>	
\$1,044	\$1,075	\$1,105	\$1,137	\$1,168	; and

BE IT FURTHER RESOLVED that the above classification shall be included
in the bargaining unit of the District's current Agreement with AFSME,
Local 2428.

Moved by Director William F. Jardin, seconded by Director John J.
Leavitt, and adopted this 17th day of January, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Director Mary Lee Jefferds.
ABSENT:	Directors Howard L. Cogswell and Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-1-16

January 17, 1978

AWARD OF CONTRACT AFTER BIDDING - ONE 9-PASSENGER VAN

WHEREAS, the Board approved acquisition of a 9-Passenger Van in the FY 1977/78 Midyear Budget Review; and

WHEREAS, the call for bids was published in the Hayward Daily Review on December 12, 1977, and in the Oakland Tribune on December 14, 1977, and requests to bid were sent to seven prospective bidders; and

WHEREAS, three timely bids were received on this 9-Passenger Van and opened in public on December 30, 1977, as set forth in the following summary:

<u>Bidder</u>	<u>Bid</u>
Maggini Chevrolet, Berkeley	\$5,623.00
Hopper-Hammond Dodge, Berkeley	5,650.00
Golden Bear Ford, Berkeley	5,736.00 ; and

WHEREAS, the staff estimate was \$7,000.00 for the cost of the equipment; and

WHEREAS, \$7,000.00 is budgeted for FY 1977/78 (Account No. 5-08-578) for the Van; and

WHEREAS, staff has recommended acceptance of the low bid of \$5,623.00 plus application sales tax for the Van;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bid by District Counsel, the President, Secretary and General Manager are each hereby directed to take all appropriate action to award a contract to such low bidder in accordance with this resolution and the call for bids in the amount of the low bid.

Moved by Director John J. Leavitt, seconded by Director Mary Lee Jefferds, and adopted this 17th day of January, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors Howard L. Cogswell and Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-1-17

January 17, 1978

APPROVAL OF DEMANDS - January 17, 1978

BE IT RESOLVED that the items set forth and as presented in the Demand Register for the period ending January 17, 1978, totaling \$439,531.63, are hereby approved and authorized for payment.

Moved by Director John J. Leavitt, seconded by Director Mary Lee Jefferds, and adopted this 17th day of January, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors Howard L. Cogswell and Walter H. Costa.

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EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-1-18

January 17, 1978

ALLOCATION OF FUNDS AND APPROVAL OF PROJECT BUDGET FOR
MARTINEZ REGIONAL SHORELINE

WHEREAS, the District has entered into certain agreements with the City of Martinez regarding Martinez Regional Shoreline acquisition and Phase 1 development; and

WHEREAS, since that time unanticipated cost increases, additional Phase 1 development segments and additional grant revenue sources have occurred, become desirable, or available; and

WHEREAS, the sum of \$778,205.00 is appropriated in the FY 1977/78 Budget (Account No. 34-16) and an additional sum of \$25,000 was appropriated by Board Resolution No. 1977-11-311 to Account No. 34-16; and

WHEREAS, an additional sum of \$161,460 has been appropriated by the City of Martinez over and above the City's original commitment for Regional Shoreline Phase 1; and

WHEREAS, the City of Martinez has already deposited \$127,220.00 with the District and has agreed to deposit funds in the following manner, consistent with anticipated receipt of approved grants for the Project:

- A. \$200,000 on or before February 15, 1978
- B. \$106,101 on or before March 1, 1978
- C. \$ 57,281 on or before April 1, 1978
- D. \$ 49,499 on or before August 1, 1978
- E. \$ 11,759 on or before December 1, 1978
- F. \$228,536 on or before February 1, 1979; and

WHEREAS, an additional sum of \$1,377.00 is required from the District to complete funding of the Phase 1, Martinez Regional Shoreline Project; and

WHEREAS, all of these funds, District and City, together total \$966,002.00 available for Phase 1 development;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby approves an amended Phase 1, Martinez Regional Shoreline development budget of \$966,002.00 (Project No. 34-16); and

BE IT FURTHER RESOLVED that there is hereby approved, and the President and Secretary are authorized to execute and deliver, the "First Amendment to Revised Master Agreement, Martinez Regional Shoreline" in the form presented to the Board this date, as modified, including the restated Project Budget and Phase 1 development program; and

S 39°52'16" E, 176.26 feet, S 56°00'39" E, 307.57 feet, more or less to the Northerly line of the above-described property; thence along the above described property the following courses and distances S 88°46'36" W, 25.93 feet, N 60°41'14" W, 311.21 feet, N 46°58'48" W, 49.12 feet, and N 15°56'27" W, 126.78 feet to the point of beginning; said easements containing 14,470 square feet or 0.332± acres.

MS

Prepared by the firm of
MacKay & Somps
San Jose, California

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-1-19

January 17, 1978

AWARD OF CONTRACT TO R. E. JONES, CONCORD, IN THE AMOUNT OF \$703,981.00 FOR
MARTINEZ REGIONAL SHORELINE AND CITY PARK, PHASE 1B

WHEREAS, bidding for the project known as Phase 1B: Martinez Regional Shoreline and City Park was duly authorized by this Board; and

WHEREAS, the call for bids was published in the Oakland Tribune, Contra Costa Times, Hayward Daily Review, and Daily Pacific Builder on November 22, 1977; and

WHEREAS, three timely bids were received and opened on December 15, 1977 as set forth in the following summary of bids:

<u>Bidder</u>	<u>Base Bid</u>	<u>Add Alternates</u>	<u>Total Unit Prices</u>	<u>Total Base, Alternates, and Unit Price Work</u>
R. E. Jones, Concord	\$670,685	\$16,596	\$16,700	\$703,981
Winton Jones Contractor, Inc., Concord	\$684,200	99,930	31,925	\$816,055
O. C. Jones, Berkeley	\$716,000	86,220	22,371	\$824,591; and

WHEREAS, staff has recommended acceptance of the base bid, alternates and unit price items, on which the Construction Manager's estimate was \$937,121 for the project and the lowest responsible bid for such Base Bid, Alternates and Unit Price items was in the sum of \$703,981 by R. E. Jones, Concord, "low bid"; and

WHEREAS, the sum of \$966,002 has heretofore been appropriated to Account No. 34-16 for this and other projects, \$209,616 thereof having heretofore been allocated to pre-bid expenses and to other projects;

NOW, THEREFORE, BE IT RESOLVED that subject to prior approval of the form of the low bid by District Counsel, the approval by the City of Martinez of the First Amendment to the Master Agreement approved this date by the District, the County of Contra Costa approval of use of Housing and Community Development funds, the Bureau of Outdoor Recreation approval of Land and Water Conservation funds and the State of California approval of 1974 Bond Act funds, the President, Secretary and General Manager are each hereby directed to take all appropriate action to award a contract to such low bidder in accordance with this resolution; and

BE IT FURTHER RESOLVED that the sum of \$756,386 is allocated to Project Account No. 34-16 (which includes a \$52,405 contingency allowance) for this contract.

Moved by Director John J. Leavitt, seconded by Director Mary Lee Jefferds, and adopted this 17th day of January, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors Howard L. Cogswell and Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-1-20

January 17, 1978

ADOPTION OF REVISED TABLE OF ORGANIZATION
FOR THE PLANNING AND DESIGN DEPARTMENT

WHEREAS, the existing Table of Organization for the Planning and Design Department can be improved for the District's benefit; and

WHEREAS, it has been demonstrated that certain tasks can be performed in-house at substantial savings to the District;

NOW, THEREFORE, BE IT RESOLVED that the Table of Organization for the Planning and Design Department, and the related administrative changes inherent therein, which were presented to the Board this date, are hereby approved and adopted.

Moved by Director John J. Leavitt, seconded by Director Mary Lee Jefferds, and adopted this 17th day of January, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors Howard L. Cogswell and Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-1-21

January 17, 1978

ADOPTION OF POSITION DESCRIPTION FOR CONSTRUCTION MANAGER AND ABOLITION OF
POSITION DESCRIPTION FOR SUPERVISOR, CONTRACT ADMINISTRATION

WHEREAS, Staff has demonstrated the need to establish the position of Construction Manager;

NOW, THEREFORE, BE IT RESOLVED that the following position description for Construction Manager is hereby adopted:

CONSTRUCTION MANAGER

Reports to: Chief, Planning and Design

SUPERVISES: Senior Construction Inspector, Jr. Civil Engineer,
Administrative Clerk

PRINCIPAL DUTIES and
RESPONSIBILITIES:

Assist in the preparation of capital, planning and major maintenance project budgets and completion schedules; review consultants' contracts prior to award and administer progress payments to consultants; review drawings and specifications during preparation to coordinate with bid documents, and funding and permit agency requirements; determine applicable requirements for equal employment opportunity for inclusion in the contract documents; recommend the division of work into single or separate contracts, unit costs, and identify alternate items to meet budget goals; administer project bidding, including advertising, pre-bid conferences, addenda, bid opening, review of bonds and insurance, and recommendations to the Board; administer the preparation of construction contracts; assist contractors in preparing construction schedules to assure compliance with District time, budget and quality objectives; administer supervision of projects under construction, monitor conformance to bid documents and recommend adjustments to construction schedules and project budgets; prepare monthly progress reports and summaries of capital project schedules and budgets; coordinate applications for construction permits, regulatory and funding agency approvals; administer requests for payment, change orders, time extensions, punch lists and notices of completion; monitor contractor, sub-contractor and consultant minority hiring practices; coordinate tests and surveys required for construction projects; administer review and approval of materials, samples and shop drawings; obtain warranties on equipment and materials, schedule warranty inspections as required by the bid documents;

Principal Duties and
Responsibilities:

coordinate turn-over of projects to Parks and Interpretation Department personnel, recommend maintenance schedules and standards; notify funding and regulatory agencies of the progress and completion of contracts; coordinate project budgets with the Controller; maintain current cost information on labor, materials and equipment commonly used by the District; advise the District on codes and legislation affecting contracts and construction and maintenance procedures; perform other tasks as assigned.

MINIMUM QUALIFICATIONS:

Education: Bachelor's degree from a recognized college or university, with a major in engineering, architecture or business with engineering course work.

Experience: Five years experience in engineering, construction or technical administration with duties and responsibilities similar to those outlined in Principal Duties and Responsibilities.

Alternate to
Education and/or
Experience:

Four years of experience in the field of engineering, architecture, construction or technical administration may be substituted for each year of education required.

A currently effective and valid driver's license is a condition of initial and continued employment in this classification.

<u>SALARY</u>	<u>a</u>	<u>b</u>	<u>c</u>	<u>d</u>	<u>e</u>	
Grade 6:	\$22,575	\$23,638	\$24,754	\$25,926	\$27,156	; and

BE IT FURTHER RESOLVED that the current position description for Supervisor, Contract Administration, dated February 26, 1975 be and is hereby abolished; and

BE IT FURTHER RESOLVED that this classification shall not be included in the bargaining unit represented by AFSME, Local 2428.

Moved by Director John J. Leavitt, seconded by Director Harlan Kessel, and adopted this 17th day of January, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Harlan Kessel, and John J. Leavitt.
AGAINST:	Director Mary Lee Jefferds.
ABSENT:	Directors Howard L. Cogswell and Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-1-22

January 17, 1978

ADOPTION OF POSITION DESCRIPTION FOR PRINCIPAL PLANNER

WHEREAS, Staff has demonstrated the need to establish the position of Principal Planner;

NOW, THEREFORE, BE IT RESOLVED that the following position description for Principal Planner is hereby adopted:

PRINCIPAL PLANNER

Reports to: Chief, Planning and Design

SUPERVISES: Park Planner II, Park Planner I, Resource Analyst, and other Specialists and Technicians as required.

GENERAL FUNCTION: Under direction of the Chief of Planning and Design, the Principal Planner will supervise and perform advance planning, resource analysis, land use-development planning, and acquisition evaluations; shall participate in the selection of candidates for subordinate positions; may assume the position of Assistant Chief in that person's absence.

PRINCIPAL DUTIES and RESPONSIBILITIES:

Maintain current knowledge of new techniques in Landscape Architecture, planning and design, soils and knowledge of indigenous plant materials of the East Bay region; prepares and supervises the preparation and scheduling of acquisition evaluations, resource analysis reports, and land use-development plans; prepares and supervises the preparation by staff and consultants of planning and design of individual parks and trails; coordination of project engineers in ground and aerial surveying; preparation of preliminary construction cost estimates; and updating of park and trail plans. Develops and recommends standards for operation, land and vegetation management and maintenance which are consistent with design criteria, such as: planting, fire control and other landscape policies and procedures; coordinates planning input from other departments and agencies; represents the District at public hearings and meetings regarding planning and land use activities as required.

MINIMUM QUALIFICATIONS:

Education: Bachelor's Degree from an accredited college or university with major work in planning, landscape architecture, architecture, or related field.

and

Minimum Qualifications:

License: Most possess a valid license from the Department of Consumer Affairs in the State of California to practice landscape architecture, architecture, or possess an advanced degree in Planning. Out of state licensed persons must secure a California license within one year of employment and maintain a valid license at all times.

and

Experience: Five years related experience, of which two must have been in the planning and design of parks.

A currently effective and valid driver's license is a condition of initial and continued employment in this classification.

<u>SALARY</u>	<u>a</u>	<u>b</u>	<u>c</u>	<u>d</u>	<u>e</u>	<u>f</u>	<u>g</u>	
Grade 5:	\$19,417	\$20,321	\$21,272	\$22,270	\$23,316	\$24,417	\$25,572	; and

BE IT FURTHER RESOLVED that this classification shall not be included in the bargaining unit represented by AFSME, Local 2428.

Moved by Director John J. Leavitt, seconded by Director Harlan Kessel, and adopted this 17th day of January, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Harlan Kessel, and John J. Leavitt.
AGAINST:	Director Mary Lee Jefferds.
ABSENT:	Directors Howard L. Cogswell and Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-1-23

January 17, 1978

ADOPTION OF POSITION DESCRIPTION FOR SENIOR CONSTRUCTION INSPECTOR

WHEREAS, Staff has demonstrated the need to establish the position of Senior Construction Inspector;

NOW, THEREFORE, BE IT RESOLVED that the following position description for Senior Construction Inspector is hereby adopted:

SENIOR CONSTRUCTION INSPECTOR

Reports to: Construction Manager.

SUPERVISES: Jr. Civil Engineer and temporary inspectors.

GENERAL FUNCTION: Under direction, to do work and supervise others in connection with the making of detailed technical inspections of buildings and site work under construction or alteration; and to do other work as required.

PRINCIPAL DUTIES and RESPONSIBILITIES:

Makes detailed continuous inspections of building projects and related facilities in process of construction or alterations; makes inspections and reports on the quality of materials and workmanship entering into construction; checks and keeps records of time, materials and number of craftsmen of various trades used in construction; detects and reports soil conditions; lays out and checks lines and levels; keeps data required on monthly estimates for payment to contractors; keeps a diary of important conditions and happenings during the progress of the project being worked upon; monitors minority hiring practices of contractors; prepares correspondence and reports as required.

MINIMUM QUALIFICATIONS:

Education: Equivalent to graduation from college with major work in engineering, landscape architecture, or architecture.
(Additional qualifying experience may be substituted for the required education on a year-for-year basis.).

and

Experience: Eight years of experience as an architect's, landscape architect's, engineer's, or owner's representative in full-time technical inspection or supervision on building construction work, or as a full-time construction superintendent on projects utilizing several crafts.

A currently effective and valid driver's license is a condition of initial and continued employment in this classification.

KNOWLEDGE, SKILLS and ABILITIES:

Knowledge of: Uses and properties of construction materials; processes involved in the construction of park facilities, roads, drainage, planting methods, plant materials, work of various trades; plumbing codes; Part 3, Title 24 of the California Administrative Code (Basic Electrical Regulations); defects of lumber and standard lumber grading rules; methods of mixing, placing and curing plain and reinforced concrete; methods of proportioning concrete aggregates; proper methods of applying paints and other surface finishes; nature of soils and soil compaction.

Ability to: Detect poor material and workmanship; read and understand plans and specifications and detect deviations from them by inspection and field tests; analyze situations accurately and take effective action; keep record of time and materials; write clear and concise reports; deal effectively with contractors.

<u>SALARY:</u>	<u>RANGE XIX</u>	<u>Monthly Rate</u>			
	<u>Start</u>	<u>6 Months</u>	<u>1 Year</u>	<u>2 Years</u>	<u>3 Years</u>
	\$1,487	\$1,532	\$1,577	\$1,626	\$1,671 ; and

BE IT FURTHER RESOLVED that this classification shall be included in the bargaining unit represented by AFSME, Local 2428.

Moved by Director John J. Leavitt, seconded by Director Harlan Kessel, and adopted this 17th day of January, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Harlan Kessel, and John J. Leavitt.
AGAINST:	Director Mary Lee Jefferds.
ABSENT:	Directors Howard L. Cogswell and Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-1-24

January 17, 1978 .

ADOPTION OF POSITION DESCRIPTION FOR ENGINEERING SUPERVISOR

WHEREAS, Staff has demonstrated the need to establish the position of Engineering Supervisor;

NOW, THEREFORE, BE IT RESOLVED that the following position description for Engineering Supervisor is hereby adopted:

ENGINEERING SUPERVISOR

Reports to: Assistant Chief, Planning and Design

SUPERVISES: Civil Engineer, Engineering Technicians, Chief of Survey Party, and Drafting Technicians.

GENERAL FUNCTION: The Engineering Supervisor directs all civil engineering projects and all public works projects such as major maintenance of roads, reservoirs and utilities.

PRINCIPAL DUTIES and RESPONSIBILITIES:

Assists the Planning and Design staff with road, trail and utility alignments and parking design; periodically inspects roads, trails, parking areas, reservoirs, drainage structures and utility lines and directs major maintenance and makes recommendations for routine maintenance by District forces; prepares estimates and makes budget recommendations for civil engineering capital improvements and major maintenance projects; directs the preparation of construction drawings and specifications for civil engineering projects; directs the preparation of surveys of District lands and facilities; directs the preparation of as-built drawings of roads, utilities and structures in the District; maintains survey records, maps and drawings of public works projects; coordinates and reviews the work of civil engineering consultants to the District; maintains knowledge of civil engineering construction techniques and practices; schedules and supervises the activities of the Civil Engineer, Engineering Technicians, Survey Crew and Drafting Technicians; and counsels subordinates on career and technical training.

MINIMUM QUALIFICATIONS:

Education: Bachelor's Degree in civil engineering from a four-year accredited degree college,
or
An equivalent four years' experience in Civil Engineering,
and

Minimum Qualifications:

License: A license to practice Civil Engineering in the State of California or an equivalent of four years' experience in civil engineering work at the Civil Engineer position level.

and

Experience: Six years' experience in civil engineering, three of which shall have been at a supervisory level.

A currently effective and valid driver's license is a condition of initial and continued employment in this classification.

<u>SALARY:</u>	<u>RANGE XX</u>	<u>Monthly Rate</u>			
	<u>Start</u>	<u>6 Months</u>	<u>1 Year</u>	<u>2 Years</u>	<u>3 Years</u>
	\$1,539	\$1,586	\$1,632	\$1,682	\$1,731 ; and

BE IT FURTHER RESOLVED that this classification shall be included in the bargaining unit represented by AFSME, Local 2428.

Moved by Director John J. Leavitt, seconded by Director Harlan Kessel, and adopted this 17th day of January, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Harlan Kessel, and John J. Leavitt.
AGAINST:	Director Mary Lee Jefferds.
ABSENT:	Directors Howard L.Cogswell and Walter H.Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-1-25

January 17, 1978

ADOPTION OF NEW POSITION DESCRIPTION FOR LANDSCAPE ARCHITECT

WHEREAS, Staff has demonstrated the need to revise the position description of Landscape Architect;

NOW, THEREFORE, BE IT RESOLVED that the following new position description for Landscape Architect is hereby adopted:

LANDSCAPE ARCHITECT

Reports to: Assistant Chief, Planning and Design

SUPERVISES: Park Planner I, Park Planner II, Drafting Technicians and other Specialists and Technicians as required.

GENERAL FUNCTIONS: Under direction of the Assistant Chief, Planning and Design, the Landscape Architect shall supervise and perform capital improvement, trail and landscape designs; shall assist in capital improvement budget preparation and participate in the selection of candidates for subordinate positions; may assume the position of Assistant Chief in that person's absence.

PRINCIPAL DUTIES and RESPONSIBILITIES:

Maintains current knowledge of new techniques in landscape architecture, planning and design, in construction and construction materials, soils and knowledge of indigenous plant materials of the East Bay region; prepares and supervises the preparation of capital improvement plans, construction drawings, specifications and bid documents; and insures design integrity of projects under construction through continued design supervision. Prepares and supervises the preparation by staff and consultants of the design of individual parks and trails; layout and rendering of final design drawings, sketches, plans and maps; production of construction drawings, specifications and bid documents for grading, drainage, paving, utilities, irrigation and planting plans and details; coordination of project engineers in grading, paving, utilities, ground and aerial surveying; preparation of construction cost estimates; and updating of park and trail design. Develops and recommends standards for operation, land and vegetation management and maintenance which are consistent with design criteria, such as: signing, planting, fire control and other landscape policies and procedures; coordinates planning and design input from other departments and agencies; represents the District at public hearings regarding planning and design activities as required.

MINIMUM QUALIFICATIONS:

Education: Bachelor's Degree from an accredited college or university with major work in Landscape Architecture or a directly related field.

and

License: Must possess a valid license to practice Landscape Architecture from the Department of Consumer Affairs in the State of California. Out of state licensed persons must secure a California license within one year of employment and maintain a valid license at all times.

and

Experience: Five years experience in the field of Landscape Architecture, of which two must have been in the planning and design of parks and related development.

A currently effective and valid driver's license is a condition of initial and continued employment in this classification.

<u>SALARY:</u>	<u>RANGE XX</u>	<u>Monthly Rate</u>			
	<u>Start</u>	<u>6 Months</u>	<u>1 Year</u>	<u>2 Years</u>	<u>3 Years</u>
	\$1,539	\$1,586	\$1,632	\$1,682	\$1,731 ; and

BE IT FURTHER RESOLVED that the current position description for Landscape Architect dated July 1975 be and is hereby abolished; and

BE IT FURTHER RESOLVED that this classification shall be included in the bargaining unit represented by AFSME, Local 2428.

Moved by Director John J. Leavitt, seconded by Director Harlan Kessel, and adopted this 17th day of January, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Harlan Kessel, and John J. Leavitt.
AGAINST:	Director Mary Lee Jefferds.
ABSENT:	Directors Howard L. Cogswell and Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-1-26

January 17, 1978

AUTHORIZATION TO PURCHASE WINDING WAY PARCEL AT HUCKLEBERRY REGIONAL PRESERVE
THOMAS P. LAM PROPERTY

WHEREAS, Thomas P. Lam has given the District an Option to Purchase Real Property in the County of Contra Costa, known as Assessor Parcel 273-212-010; and

WHEREAS, by Resolution No. 1977-12-326, adopted December 6, 1977, an Acquisition Evaluation on Winding Way parcels, including the Lam parcel, at Huckleberry Regional Preserve was accepted by this Board; and

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed on the subject property, all in accordance with the District's Master Plan; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to exercise the District's option to purchase under that certain Option to Purchase Real Property between the District and Thomas P. Lam, dated December 16, 1977, and the President and Secretary are authorized to accept a Grant Deed to the property, described as Assessor Parcel 173-212-010 and as described in Western Title Insurance Company preliminary title report W-305868-10, dated January 10, 1977, and the President, Secretary and General Manager are hereby authorized to complete the acquisition of said property, and the General Manager is directed to record same in the Official Records of Contra Costa County; and

BE IT FURTHER RESOLVED that \$5,700.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-93 to pay the purchase price of \$5,200.00 and title and escrow fees, appraisals, legal fees, and other expenses necessary to complete the acquisition.

Moved by Director Mary Lee Jefferds, seconded by Director Harlan Kessel, and adopted this 17th day of January, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors Howard L. Cogswell and Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-1-27

January 17, 1978

AUTHORIZATION TO PURCHASE PARCEL ALONG GARIN AVENUE FOR ACCESS TO GARIN
REGIONAL PARK - EDWARD C. WIEMKEN, BIRDIE L. WIEMKEN, AND THE DEPARTMENT
OF VETERANS AFFAIRS OF THE STATE OF CALIFORNIA

WHEREAS, the Zoning Administrator of Alameda County, by Resolution No. Z-2897, adopted April 27, 1977, issued Use Permit C-3191 for Garin Regional Park, which permit is subject to the widening of Garin Avenue to a minimum 20 feet width; and

WHEREAS, subject property is one of four parcels necessary for such widening of Garin Avenue; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED:

1. That the President and Secretary are hereby authorized to exercise the District's option to exercise that certain Option to Purchase Real Property between the District and Edward C. Wiemken, Birdie L. Wiemken, and the Department of Veterans Affairs of the State of California, dated December 21, 1977, covering fee title to .040 of an acre.
2. The President and Secretary are authorized to accept a grant deed to the fee title and the slope easement, a portion of Alameda County Assessor Parcel 83-254-009, described in Exhibit "A" of the Option to Purchase Real Property;
3. The President, Secretary, and General Manager are hereby authorized to complete the acquisition of said property and easement;
4. The General Manager is directed to record same in the Official Records of Alameda County; and
5. The sum of \$1,500.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-94 to pay the purchase price of \$1,050.00 and title and escrow fees, appraisals, legal fees, and other expenses necessary to complete the acquisition.

Moved by Director John J. Leavitt, seconded by Director Howard L. Cogswell, and adopted this 17th day of January, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-1-28

January 17, 1978

COMPENSATION FOR DIRECTORS

WHEREAS, Governor Brown signed into law AB-854 (Knox), amending Section 5536 of the Public Resources Code, authorizing a maximum permissible compensation of Park District Directors of \$200.00 in any one month; and

WHEREAS, demands upon Directors time and energy are ever increasing and in addition to attendance at regular bimonthly public Board meetings, Directors are required to participate in executive sessions, field trips, public hearings, Board committees and other meetings; and

WHEREAS, the District's expanding acquisition and development programs require Board Members to spend more and more of their work and leisure hours on District policy matters;

NOW, THEREFORE, BE IT RESOLVED that pursuant to the authority of Section 5536 of the Public Resources Code, as amended, effective January 1, 1978, compensation for Directors of the East Bay Regional Park District (not including authorized expense reimbursement) shall be as follows:

1. For attendance at each publicly noticed meeting of the Board of Directors, except as specified in Paragraph 2 below and not held on the same date, including executive sessions of the Board: \$50.00.

Each session of any such meeting adjourned to a different date shall be considered a separate meeting for purposes thereof.

2. For attendance at each publicly noticed meeting of any Board committee, public hearing, or field trip of the Board, not held on the same date or or on the date of a meeting for which a Director is compensated pursuant to Paragraph 1 above: \$25.00.

3. In no event shall a Director receive compensation in excess of \$200.00 for attendance at meetings during any calendar month.

Moved by Director John J. Leavitt, seconded by Director Harlan Kessel, and adopted this 17th day of January, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors William F. Jardin and Mary Lee Jefferds.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-9-260

September 6, 1977

CONDEMNATION FOR ACCESS ALONG GARIN AVENUE FOR RIGHT-OF-WAY TO
GARIN REGIONAL PARK - H. F. JORDAN PROPERTY

WHEREAS, this Board is authorized to acquire property for public purposes, by the exercise of the power of eminent domain, pursuant to Division 5, Chapter 3, Section 5542, of the California Public Resources Code; and

WHEREAS, the property here required for public use is necessary for the widening of Garin Avenue to provide public access to Garin Regional Park, said purpose constituting a public purpose; and

WHEREAS, the Notice required under Section 1245.235 of the California Code of Civil Procedure was duly given to H. F. Jordan on August 15, 1977 (a copy of which is attached), and the Hearing thereon held this date, the owner's representative appearing thereon to be heard;

NOW, THEREFORE, BE IT RESOLVED that this Board hereby finds and determines that the public interest and necessity require the acquisition of that certain property located in the County of Alameda referred to as a portion of the H. F. Jordan property and more particularly described in the Exhibit attached and in Title Insurance and Trust Company's preliminary title report dated August 9, 1977, under Order No. OK-267964, for public road purposes; and

BE IT FURTHER RESOLVED that this Board hereby finds and determines that said proposed acquisition and use is planned and located in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the General Manager is hereby directed to retain the law firm of Rogers, Vizzard & Tallett to prepare and prosecute in the name of the East Bay Regional Park District, such proceeding or proceedings as are necessary for such acquisition.

Moved by Director Howard L. Cogswell, seconded by Director Paul J. Badger, and adopted this 6th day of September, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

DESCRIPTION

Garin Avenue Widening and Adjacent
Slope Easement

as proposed by

EAST BAY REGIONAL PARK DISTRICT
Portion of the Lands of H. F. Jordan

PARCEL 4

All that certain real property situate in the Unincorporated County of Alameda, State of California for the widening of Garin Avenue; said property lying Northerly of and adjacent to the Northerly line of Garin Avenue (20 feet wide) as said Avenue is delineated on that certain Record of Survey of the centerline alignment of Garin Avenue as recorded July 22, 1977 in Book 10 of Record of Surveys at page 100, Alameda County Records; and being a portion of the lands described in quitclaim deed to H. F. Jordan dated November 18, 1975 and recorded December 30, 1975 in Reel 4211 Image 811, Official Records, Alameda County, California; being a strip of land of varying widths particularly described as follows:

BEGINNING at the angle point in the Southerly line of Garin Avenue (20 feet wide) at County road station 28 + 65.95 as said point is shown on above-referenced map; thence from said point of beginning N 49°03'39" W 88.68 feet; thence parallel to the Southerly line of Garin Avenue; twenty feet therefrom N 87°14'16" W 61.37 feet, N 84°47'12" W 244.78 feet and S 75°13'48" W 94.71 feet; thence N 14°46'12" W 20.00 feet to the Southerly line of Garin Avenue; thence along the Southerly line of Garin Avenue N 75°13'48" E 98.24 feet, S 84°47'12" E 248.31 feet, S 87°14'16" E 61.37 feet, S 39°52'16" E 101.67 feet to the point of beginning said property containing 9,040 square feet or 0.207¹/₂ acres; together with a slope easement over the following described adjacent land:

BEGINNING at a point on the above-described line bearing N 49°03'39" W said point being N 49°03'39" W 56.32 feet from the above-described point of beginning; thence from said point and leaving last said line N 87°14'16" W 87.24 feet and N 84°47'12" W 300.21 feet more or less to the Southerly line of the above-described property; thence along said Southerly line N 75°13'48" E 58.52 feet, S 84°47'12" E 244.78 feet S 87°14'16" E 61.37 feet S 49°03'39" E 32.36 feet to the point of beginning of easement said slope easement containing 6,936 square feet or 0.159¹/₂ acres.

PARCEL 4B

BEGINNING at the angle point in the Southerly line of Garin Avenue (20 feet wide) at County Road station 33 + 77.31 as said point is shown on above-referenced map; thence from said point of beginning and along the Southerly line of said Garin Avenue N 88°46'36" E 109.03 feet more or less to the Easterly line of said lands of Jordan thence along said Easterly line S 26°50' E 11.09 feet; thence parallel to the Southerly line of Garin Avenue and ten feet (10') therefrom; S 88°46'36" W 96.87 feet; thence N 60°41'14" W 19.68 feet to the point of beginning; said property containing 1,030 square feet or 0.024[±] acres.

Prepared by the firm of
MACKAY & SOMPS
San Jose, California

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-9-261

September 6, 1977

CONDEMNATION FOR ACCESS ALONG GARIN AVENUE FOR RIGHT-OF-WAY TO
GARIN REGIONAL PARK - EDWARD, ALBERT, AND DEAN WIEMKEN PROPERTY

WHEREAS, this Board is authorized to acquire property for public purposes, by the exercise of the power of eminent domain, pursuant to Division 5, Chapter 3, Section 5542, of the California Public Resources Code; and

WHEREAS, the property here required for public use is necessary for the widening of Garin Avenue to provide public access to Garin Regional Park, said purpose constituting a public purpose; and

WHEREAS, the Notice required under Section 1245.235 of the California Code of Civil Procedure was duly given to Edward, Albert, and Dean Wiemken on August 15, 1977 (a copy of which is attached, and the Hearing thereon held this date, the Owners not appearing to be heard;

NOW, THEREFORE, BE IT RESOLVED that this Board hereby finds and determines that the public interest and necessity require the acquisition of that certain property located in the County of Alameda referred to as a portion of the Edward, Albert, and Dean Wiemken property and more particularly described in the Exhibit attached and in Title Insurance and Trust Company's preliminary title report dated January 13, 1976, under Order No. OK-247172, for public road purposes; and

BE IT FURTHER RESOLVED that this Board hereby finds and determines that said proposed acquisition and use is planned and located in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the General Manager is hereby directed to retain the law firm of Rogers, Vizzard & Tallett to prepare and prosecute in the name of the East Bay Regional Park District, such proceeding or proceedings as are necessary for such acquisition.

Moved by Director Howard L. Cogswell, seconded by Director Paul J. Badger, and adopted this 6th day of September, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

DESCRIPTION

Garin Avenue Widening

as proposed by

EAST BAY REGIONAL PARK DISTRICT

Portion of the Lands of Edward C. Wiemken and
Birdie L. Wiemken and Albert J. Wiemken and Dorothy M. Wiemken

PARCEL 3

All that certain real property situate in the Unincorporated County of Alameda, State of California for the widening of Garin Avenue; said property lying Northerly of and adjacent to the Northerly line of Garin Avenue (20 feet wide) as said Avenue is delineated on that certain Record of Survey of the centerline alignment of Garin Avenue as recorded July 22, 1977 in Book 10 of Record of Surveys at page 100, Alameda County Records; and being a portion of the lands described in grant deed to Edward C. and Birdie L. Wiemken (5/13 int.) and Albert J. and Dorothy M. Wiemken^(6/13 int.) dated September 18, 1969 and recorded October 29, 1969 in Reel 2505 Image 75, Official Records, Alameda County, California; being a strip of land ten feet (10') wide the Southerly line of which is more particularly described as follows:

BEGINNING at the point of intersection of the Northerly line of Garin Avenue (20' wide) and the Westerly line of the lands of Wiemken as said lines are described in above-referenced map and deed; thence along said Northerly line of Garin Avenue N 74° E 61.69 feet more or less to the Easterly line of said Lands of Wiemken said property containing 617 square feet or 0.014 $\frac{1}{2}$ acres.

Prepared by the firm of
MACKAY & SOMPS
San Jose, California

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-9-262

September 6, 1977

OYSTER BAY REGIONAL SHORELINE (PROPOSED) - AUTHORITY TO ENTER INTO OPTION
AGREEMENT WITH OAKLAND SCAVENGER COMPANY

WHEREAS, by Resolution No. 1976-7-203 adopted July 6, 1976, this Board authorized the General Manager to enter into negotiations concerning dedication by Oakland Scavenger Company of 194 acres (the "Site") as the site for Oyster Bay Regional Shoreline (proposed); and

WHEREAS, by Resolution No. 1977-4-101 adopted April 5, 1977, staff prepared and this Board accepted an Acquisition Evaluation covering the Site; and

WHEREAS, by Resolution No. 1977-6-181 adopted June 21, 1977, staff and Consultants prepared and this Board approved a Land Use Plan and Final Environmental Impact Report thereon for the Site; and

WHEREAS, after extensive negotiations with Oakland Scavenger Company and consultation with officials of the City of San Leandro and other concerned public agencies, the General Manager has caused a form of "Agreement" with Oakland Scavenger Company to be prepared and be presented to the Board this date; and

WHEREAS, such form of Agreement is acceptable to Oakland Scavenger Company and makes ultimate acquisition of the Site by the District subject to:

1. Approval of the form of the Agreement by the City of San Leandro;
2. Subsequent agreement by the District and Oakland Scavenger Company on a Development Plan, Limited Class III Fill Plan and Indemnification Agreements;
3. Closure of the land fill operation on the Site in accordance with all applicable requirements of the City of San Leandro, Regional Water Quality Control Board, and other public agencies having jurisdiction;
4. Provision for public access to the Site on public streets, satisfactory to the District;
5. Agreement between the District and the City of San Leandro on such matters as provision of public safety services to the proposed park, ownership of adjacent underwater lots, public utilities, etc.;
6. Final determination by this Board that adequate grant and other funding will be available to the District to defray the costs to the District of developing the proposed park on the Site; and

WHEREAS, entering into the Agreement will not create any form of real property ownership interest in the District in the Site;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized and directed to execute and deliver that form of "Agreement" presented to the Board this date, amended as provided in Item 1. below, and dated as of September 1, 1977 between the District and Oakland Scavenger Company, subject to:

1. The form of Agreement is revised as follows:

- a) Section 2.3: Add "inert" at end of 6th line.
- b) Section 2.4: Delete phrase "and Park District" from lines 5 and 6.
- c) Section 3.1: In 4th line add "minor" following "writing."
- d) Section 4: Change caption to "QUITCLAIMS." Delete entire first paragraph. Change 1st line in second paragraph to read: "If the Park District does not elect to...". Delete "and the Park Dis-" from 5th line of second paragraph and all of 6th, 7th, and 8th lines.

2. Nonsubstantive changes approved by District Counsel;

3. Approval of the form of the Agreement by the City of San Leandro;

4. Certification by appropriate State and Federal officials that such agreement does not constitute a pre-acquisition of the Site under applicable laws and regulations governing Land and Water and other grant programs the District would seek to qualify under the funding development of the Site.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to Oakland Scavenger Company with the executed Agreement as notice of the conditions subsequent herein.

Moved by Director William F. Jardin, seconded by Director Paul J. Badger, and adopted this 6th day of September, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-9-263

September 6, 1977

ACCEPTANCE OF ACQUISITION EVALUATION REPORT ON CITY OF HAYWARD PROPERTY (FLUOR
PROPERTY) AND OAKLAND SCAVENGER PROPERTY AT HAYWARD SHORELINE AREA

WHEREAS, the East Bay Regional Park District is considering acquisition of 225 acres, more or less, of City of Hayward property and 495 acres, more or less, of Oakland Scavenger Company property for a regional shoreline parkland facility; and

WHEREAS, staff has prepared and presented to the Board this date a Master Plan Acquisition Evaluation Report covering said property;

NOW, THEREFORE, BE IT RESOLVED that the Acquisition Evaluation Report presented to and considered by the Board this date covering 720 acres, more or less, known as the Hayward Shoreline Area property, is hereby accepted for filing and on the basis thereof, the Board finds that the use of said property is consistent with the acquisition goals and policies of the District's Master Plan.

Moved by Director Howard L. Cogswell, seconded by Director Mary Lee Jefferds, and adopted this 6th day of September, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-9-264

September 6, 1977

AUTHORIZATION TO PURCHASE 225 ACRES OF CITY OF HAYWARD PROPERTY AND 495 ACRES
OF OAKLAND SCAVENGER PROPERTY AT HAYWARD SHORELINE AREA

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed, all in accordance with the District's Master Plan; and

WHEREAS, by Resolution No. 1977-9-263, adopted September 6, 1977, this Board accepted an Acquisition Evaluation Report on 225 acres, more or less, of City of Hayward property, and 495 acres, more or less, of Oakland Scavenger Company property for a regional parkland facility; and

WHEREAS, under CEQA and the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The District is authorized to purchase 225 acres of property, as described in attached Exhibit "A", from the City of Hayward for the sum of \$309,500.00, and the President and Secretary are hereby authorized to sign title documents and recording instruments to accomplish that purchase, and to accept and record same;
2. The District is authorized to purchase 495 acres of property, as described in attached Exhibit "B". from the Oakland Scavenger Company for the sum of \$730,000.00, and the President and Secretary are hereby authorized to sign title documents and recording instruments to accomplish that purchase, and to accept and record same;
3. Escrow instructions will be prepared by the General Manager of the District that require the following conditions be satisfied before any of the funds for the purchase of these properties can be released from escrow to Grantors;
 - a. That the City Council of Hayward has authorized and approved the sale of the property described in 1 above;
 - b. That authorization satisfactory to the General Manager has been received by the City of Hayward from the State of California that such sale and disposition of the property is satisfactory to the State of California under the Urban and Coastal Bond Act of 1976;
 - c. That the City Council of Hayward has authorized and approved the purchase by the City of Hayward from the Oakland Scavenger Company, 148 acres of property, described in Exhibit "D", for the sum of \$14,000.00 and the transfer of 16 acres of City-owned property to Oakland Scavenger Company;
 - d. That the condition of title to the properties described in 1 and 2 above is satisfactory to the General Manager of the District.

- e. The District has complied with Government Code Section 65402 (mandatory referral);
- f. That the City Council of Hayward has committed, in form satisfactory to the General Manager, that only the lands of the East Bay Regional Park District at the Hayward Shoreline should be used for the mitigation of the environmental impact of the Dumbarton Bridge replacement project by restoration of the marsh;
- g. That the conditions "a" through "f" herein are fulfilled not later than four calendar months from the date of this resolution; and

BE IT FURTHER RESOLVED that the sum of \$1,060,000.00 is hereby appropriated from Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-77 to pay the purchase price, title insurance, legal and escrow fees, and other expenses necessary to complete the acquisition.

Moved by Director Howard L. Cogswell, seconded by Director Mary Lee Jefferds, and adopted this 6th day of September, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-9-265

September 6, 1977

DETERMINATION TO PROCEED FOLLOWING FINAL EIR FOR PROJECT KNOWN AS BRIONES TO
LAS TRAMPAS REGIONAL TRAIL

WHEREAS, under the direction of H. C. Hornbeck, Chief of Acquisition, staff has prepared a Final EIR for the Project known as Briones to Las Trampas Regional Trail; and

WHEREAS, staff has presented and the Board has reviewed and considered the Final EIR this date; and

WHEREAS, a Draft EIR was prepared for the Project and a Notice of Completion was filed with the Secretary for Resources; and

WHEREAS, staff has consulted with the responsible agencies and has circulated as of July 26, 1977 the Draft EIR to the jurisdictions by law, clearinghouses, groups, organizations, individuals, adjacent property owners, and libraries shown in the Final EIR; and

WHEREAS, following public notice, a public hearing on the Draft EIR was held on August 25, 1977 at Acalanes High School in Lafayette; and

WHEREAS, all comments and recommendations received on the Draft EIR, and the District's response to significant environmental points raised thereby have been incorporated into the Final EIR and considered by the Board;

NOW, THEREFORE, BE IT RESOLVED that this Board certifies that the Final EIR for the Project known as Briones to Las Trampas Regional Trail has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) and with State and Park District Guidelines which implement CEQA; and

BE IT FURTHER RESOLVED that this Board finds that the staff responses as set forth in the Final EIR and at this meeting to comments received on the Draft EIR and at this meeting are sufficient, the Board having fully considered both such comments and responses; and

BE IT FURTHER RESOLVED that this Board finds that the Project will not have a significant effect on the environment; and

BE IT FURTHER RESOLVED that the Project is hereby approved in concept and the General Manager is directed to proceed with the Project by determination of precise trail routing which shall be subject to approval by this Board; and

BE IT FURTHER RESOLVED that the Environmental Coordinator is hereby directed to file a Notice of Determination for this Project, in the Office of the County Clerk of Contra Costa County, and with the Secretary for Resources, if appropriate, by September 7, 1977.

Moved by Director Walter H. Costa, seconded by Director Paul J. Badger, and adopted this 6th day of September, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

A Special Meeting of the BOARD OF DIRECTORS of the EAST BAY REGIONAL PARK DISTRICT will be held at Oakland City Hall, Room 115, 1421 Washington Street, Oakland, commencing at 2:00 p.m., Friday, August 26, 1977. Agenda for the meeting is listed below. It is often necessary to add Agenda items for consideration by the Board after the Agenda has been prepared and mailed. These items are described in the Addenda to the Agenda which is available to the public at the beginning of each Board meeting. Board of Directors' meetings are open to the public and pertinent comments from the audience are always welcome. However, in order to conduct an orderly and efficient meeting, comments from the audience are usually sought by the Chairman on agenda items after completion of the Board discussion and prior to the vote being taken. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion.

AGENDA
SPECIAL MEETING
EAST BAY REGIONAL PARK DISTRICT

Friday, August 26, 1977

Room 115, City Hall
1421 Washington Street
Oakland, California

2:00 P.M. SPECIAL MEETING

- ✓ A. ROLL CALL - *Costa absent*
- ✓ B. APPROVAL OF AGENDA
- ✓ C. APPROVAL OF MINUTES of AUGUST 16, 1977
- ✓ D. BUSINESS BEFORE THE BOARD

1. CONSENT CALENDAR

- ✓ a. Award of Contract-88" Riding Mower - Del Valle
- ✓ b. Adoption of Proposed Land Use Development Plan/EIR - Black Diamond Mines Regional Preserve. (RESOLUTION)
7-0
(RESOLUTION)
- ✓ c. Approval to Accept Grant of Easement from Western Pacific for Access to Alameda Creek Trail. (RESOLUTION)

2:15 P.M. ✓ 2. PUBLIC HEARING IN REGARD TO THE SETTING OF THE DISTRICT'S TAX RATE FOR 1977-78

- ✓ a. Background Information by Controller Ralph Meilandt.
- ✓ b. Presentations by the Public. *Jim Carver - Alameda C.T.P. Assn.*
- ✓ c. Report of Finance Committee. *Frank Redford - Co. Co. Co. T.P. Assn.*
- ✓ d. Setting of the Tax Rate by the Board. *Don Caldwell - Ex VP, Co. Co. Co. T.P. Assn.*

20.44 Moved - Jardin; Second Kessel - (RESOLUTION)

3:00 P.M. 3. RE-CONSIDERATION OF BOARD RESOLUTION 7-19 TO JOIN IN LAWSUIT ON PUBLIC LAW 94-566 (UNEMPLOYMENT COMPENSATION) WITH NATIONAL INSTITUTE OF MUNICIPAL LAW OFFICIALS.

3:30 P.M. E. ADDENDA TO AGENDA

3:40 P.M. F. COMMUNICATIONS

3:50 P.M. G. COMMENTS: GENERAL MANAGER, BOARD, PUBLIC

4:00 P.M. H. ADJOURNMENT

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EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-249

August 26, 1977

AWARD OF CONTRACT AFTER BIDDING - "88" RIDING MOWER

WHEREAS, bidding for an "88" Riding Mower for use at Del Valle Regional Park was duly authorized by this Board; and

WHEREAS, the call for bids was published in the Hayward Daily Review and the Oakland Tribune on August 4, 1977, and requests for bids were sent to six prospective bidders; and

WHEREAS, one timely bid was received and opened in public on August 12, 1977, as set forth in the following summary of bids:

<u>Bidder</u>	<u>Base Bid</u>
H.V.Carter Co., Inc., Oakland	\$4,665.00 ; and

WHEREAS, the only responsible bid for such base bid was in the aggregate sum of \$4,665.00 (the "low bid"), plus tax of \$303.23, by H. V. Carter Co., Inc., Oakland; and

WHEREAS, \$2,500 is budgeted in Account No. 5-32-578 in the FY 1977/78 Budget for this equipment and an additional amount of \$2,468.23 will be required from Account No. 1-20-561 to complete the purchase;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bid by District Counsel, the President, Secretary and General Manager are each hereby directed to take all appropriate actions to award a contract to such low bidder in accordance with this resolution and the call for bids in the amount of the low bid; and

BE IT FURTHER RESOLVED that the sum of \$2,468.23 is hereby appropriated from the General Manager's Contingency Reserve, Account No. 1-20-561, to cover the additional over-budget cost of this equipment.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 26th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jeffers, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-250

August 26, 1977

DETERMINATION TO PROCEED FOLLOWING FINAL EIR FOR PROJECT KNOWN AS LAND USE-
DEVELOPMENT PLAN AT BLACK DIAMOND MINES REGIONAL PRESERVE

WHEREAS, under the direction of Lewis P. Crutcher, Chief of Planning and Design, Staff has prepared a Final EIR for the Project known as Land Use-Development Plan at Black Diamond Mines Regional Preserve; and

WHEREAS, Staff has presented and the Board has reviewed and considered the Final EIR this date; and

WHEREAS, a Draft EIR was prepared for the Project and circulated to all agencies having jurisdiction by law, the appropriate clearinghouse and public agencies, individuals, and libraries as listed on the Final EIR, on July 14, 1977; and

WHEREAS, following public notice, public hearings on the Draft EIR and Land Use-Development Plan were held on Thursday, August 11, 1977 at the Los Medanos Community College in Pittsburg, California; and

WHEREAS, all comments and recommendations received on the Draft EIR and the District's response to significant environmental points raised thereby have been incorporated into the Final EIR and considered and approved by this Board;

NOW, THEREFORE, BE IT RESOLVED that this Board certifies that this Final EIR has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) and with the State and Park District Guidelines which implement CEQA for the Project known as Land Use-Development Plan--Black Diamond Mines Regional Preserve; and

BE IT FURTHER RESOLVED that this Board finds that the Project will not have any significant adverse effect, and in fact, will have a substantial positive impact on the environment; and

BE IT FURTHER RESOLVED that the Project is hereby approved and the General Manager is directed to proceed with the Project; and

BE IT FURTHER RESOLVED that the Environmental Coordinator is hereby directed to file a Notice of Determination for this Project, in the Office of the County Clerk of Alameda County, and with the Secretary for Resources, if appropriate, by August 31, 1977.

Moved by Director Walter H. Costa, seconded by Director Mary Lee Jefferds, and adopted this 26th day of August, 1977, by the following vote:

FOR:	Directors Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSTAIN:	Director Paul J. Badger.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1977-8-251

August 26, 1977

AUTHORIZATION TO ACCEPT GRANT OF EASEMENT AT THE END OF SHINN STREET IN THE
CITY OF FREMONT FROM WESTERN PACIFIC RAILROAD COMPANY FOR ACCESS TO THE
ALAMEDA CREEK TRAIL

WHEREAS, the Board of Directors, on October 26, 1976, approved the Land Use-Development Plan for the Alameda Creek Quarries Regional Recreation Area and certified compliance with all CEQA requirements; and

WHEREAS, the approved Land Use-Development Plan called for access to be established from Shinn Street to serve the Alameda Creek Trail and the proposed Model Mariners' use area; and

WHEREAS, Western Pacific Railroad Company has agreed to grant a 20-foot-wide easement for said access at no cost to the District, except for possible fencing requirements in the future; and

WHEREAS, the form of agreement for such purpose has been presented to the Board this date for its consideration;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to execute and deliver the form of Agreement with Western Pacific Railroad Company in the form presented this date and to accept the Grant of Easement provided for therein, and the General Manager is directed to cause the easement to be recorded in the Official Records of Alameda County.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 26th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors none.

EAST BAY REGIONAL PARK DISTRICT

ORDINANCE No. 52

August 26, 1977

ESTABLISHING AND FIXING A TAX RATE FOR FISCAL YEAR 1977/78

WHEREAS, the Board of Directors of the East Bay Regional Park District has adopted a budget for the 1977/78 fiscal year (April 1, 1977-March 31, 1978) totaling \$26,306,997, consisting of \$10,353,535 for the General Fund, \$8,945,271 for the Supplemental Land Fund-Land Acquisition (which includes \$986,447 for Debt Service), and \$7,008,191 for Supplemental Land Fund-Development and Maintenance; and

WHEREAS, it is required by law that the District's tax rate be based on an equalized assessment ratio of approximately 25% in both Alameda and Contra Costa Counties;

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the East Bay Regional Park District that the tax rate for the fiscal year 1977/78 be set at the rate of 20.4¢ on each \$100 of assessed valuation of all real and personal property within the District, as provided for by Division 5, Chapter 3, Article 3, Sections 5545 and 5545.5 of the Public Resources Code; and

BE IT FURTHER ORDAINED that the tax rate for 1977/78 be set in accordance with the procedure for equalizing taxes provided by Part 3.5 of Division 1 of the Revenue and Taxation Code (Sections 2131, et seq.) and be levied and collected at the rate of 20.3 cents on each \$100 of assessed value of all real and personal property within the District in Contra Costa County, and at the rate of 20.7 cents on each \$100 of assessed value of all real and personal property within the District in Alameda County, for the purpose of carrying out the District's objects and purposes within the two counties and to pay the obligations of the District as allowed by law; and

BE IT FURTHER ORDAINED that the Board of Supervisors of Alameda and Contra Costa Counties be requested and instructed to fix the tax rate within the two counties as indicated herein.

Moved by Director William F. Jardin, seconded by Director Harlan R. Kessel, and adopted this 26th day of August, 1977, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Harlan R. Kessel, and John J. Leavitt.
AGAINST:	Director Mary Lee Jefferds.
ABSENT:	Directors none.

February 7, 1978

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-29

February 7, 1978

APPROVAL OF INDEMNIFICATION AGREEMENTS WITH CONTRA COSTA COUNTY, THE
DUBLIN-SAN RAMON COMMUNITY SERVICES DISTRICT, AND THE KENSINGTON
COMMUNITY SERVICE DISTRICT

WHEREAS, the State of California is to distribute grant funds made available to cities and districts pursuant to the Roberti-Z'berg Urban Open Space and Recreation Program (SB-174, Chapter 160, Statutes of 1976) for 1977-78 (hereinafter "block grant funds"); and

WHEREAS, the East Bay Regional Park District, as the agency which provides and administers the park and recreation services, is to receive the block grant funds for Contra Costa and Alameda Counties; and

WHEREAS, the East Bay Regional Park District has agreed to share up to \$61,044 of its allocation with certain service districts and service areas (Resolution No. 1978-1-3); and

WHEREAS, the State of California recognizes only East Bay Regional Park District as the applicant for such funds; and

WHEREAS, the State of California requires the designated legal counsel for an applicant to sign a certification block certifying District compliance with all applicable federal, state and local codes, laws, and regulations;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized and directed to execute and deliver the standard form indemnification agreements with Contra Costa County, Dublin-San Ramon Community Services District and Kensington Community Service District, indemnifying the District in connection with the Roberti block grant funds.

Moved by Director Mary Lee Jefferds, seconded by Director Harlan Kessel, and adopted this 7th day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors Howard L. Cogswell and Walter H. Costa.

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EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-30

February 7, 1978

AUTHORIZATION TO APPLY FOR A GRANT FROM THE STATE DEPARTMENT OF NAVIGATION &
OCEAN DEVELOPMENT FOR IMPROVEMENTS TO THE BOAT LAUNCHING FACILITY AT
DEL VALLE REGIONAL PARK

WHEREAS, the people of the State of California have enacted the State, Urban, and Coastal Park Bond Act of 1976, which provides funds to the State of California and its political subdivisions for acquiring lands and for developing facilities for public recreation and historical purposes; and

WHEREAS, the State of California Department of Navigation & Ocean Development is authorized to provide grants to cities, counties, districts, and other public agencies for the construction and development of small craft launching facilities; and

WHEREAS, East Bay Regional Park District is desirous of improving a boat launching facility at Del Valle Regional Park to meet the needs of the boaters and to provide public access to the water; and

WHEREAS, East Bay Regional Park District has conducted a feasibility study which showed the proposed project to be feasible both from a financial and engineering standpoint and also economically justified; and

WHEREAS, East Bay Regional Park District has an agreement with the State of California to provide for the operation and maintenance of the facilities at no cost to the State;

NOW, THEREFORE, BE IT RESOLVED that the General Manager is authorized and directed to make due application to the Department of Navigation & Ocean Development for a grant in the amount of \$200,000 for the purpose of developing the boat launching facility at Del Valle Regional Park.

Moved by Director Mary Lee Jefferds, seconded by Director Harlan Kessel, and adopted this 7th day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors Howard L. Cogswell and Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-31

February 7, 1978

DETERMINATION TO PROCEED FOLLOWING INITIAL STUDY AND NEGATIVE DECLARATION FOR
PROJECT KNOWN AS IMPROVEMENTS TO MARINA AT DEL VALLE REGIONAL PARK

WHEREAS, under the direction of Lewis P. Crutcher, Staff has prepared an Initial Study for the Project at Del Valle Regional Park known as Improvements to the Marina; and

WHEREAS, Staff has presented and the Board has considered the Initial Study and Negative Declaration this date; and

WHEREAS, Staff has consulted with State of California - Department of Fish and Game, State of California - Department of Water Resources, and State of California - Department of Parks and Recreation and has circulated the Negative Declaration prepared for this Project to Alameda County Flood Control and Water Conservation District, Alameda County Planning Department, City of Livermore Planning Department, and the Livermore Library and has given notice by posting on or near the site on January 9, 1978; and

WHEREAS, the Board has considered this date all comments received in response to the Negative Declaration;

NOW, THEREFORE, BE IT RESOLVED that this Board finds that the Project will have no significant effect on the environment, primarily for the following reasons:

- a. No changes in existing use are proposed.
- b. No natural features will be disturbed.
- c. Additions and alterations proposed will improve existing facilities; and

BE IT FURTHER RESOLVED that the Project is hereby approved and the General Manager is directed to proceed with the Project; and

BE IT FURTHER RESOLVED that the Environmental Coordinator is hereby directed to file a Notice of Determination for this Project, in the Office of the County Clerk of Alameda County and with the Secretary for Resources, if appropriate, by February 8, 1978.

Moved by Director Mary Lee Jefferds, seconded by Director Harlan Kessel, and adopted this 7th day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors Howard L. Cogswell and Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-32

February 7, 1978

APPROVAL OF DEMANDS - January 20 and January 31, 1978

BE IT RESOLVED that the items set forth and as presented in the Demand Registers for the period ending January 20, 1978, totaling \$1,619,139.04, and for the period ending January 31, 1978, totaling \$331,248.20, are hereby approved and authorized for payment.

Moved by Director Howard L. Cogswell, seconded by Director Mary Lee Jefferds, and adopted this 7th day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-33

February 7, 1978

EXTENSION OF LICENSE AGREEMENT WITH ALAMEDA COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT FOR USE OF PORTION OF COYOTE HILLS REGIONAL PARK

WHEREAS, a portion of the land at Coyote Hills Regional Park is used by the District pursuant to a License Agreement with Alameda County Flood Control and Water Conservation District dated February 8, 1971, the term of which expires February 8, 1978; and

WHEREAS, both parties desire to extend said license for another year;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to execute and deliver, on behalf of the District, a one-year extension (for the period from February 9, 1978 to February 8, 1979) of the License Agreement with Alameda County Flood Control and Water Conservation District dated February 8, 1971, covering lands at Coyote Hills Regional Park, in the form presented to the Board this date.

Moved by Director Mary Lee Jefferds, seconded by Director Harlan Kessel, and adopted this 7th day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors Howard L. Cogswell and Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-34

February 7, 1978

NAMING OF OHLONE REGIONAL WILDERNESS

WHEREAS, the Park Advisory Committee has recommended adoption of the name OHLONE REGIONAL WILDERNESS, for that area formerly identified as the Rowell and Telles properties; and

WHEREAS, such recommendation is in accord with the District's Master Plan;

NOW, THEREFORE, BE IT RESOLVED that the regional wilderness encompassing the Rowell and Telles properties is hereby officially named, OHLONE REGIONAL WILDERNESS.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 7th day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-35

February 7, 1978

ENDORSEMENT AND APPROVAL OF
"RIDGELANDS - A MULTI-JURISDICTIONAL OPEN SPACE STUDY"

WHEREAS, the East Bay Regional Park District was a participating agency in the ridgelands study along with the counties of Alameda, Contra Costa, and Santa Clara, the Bureau of Outdoor Recreation, and the Association of Bay Area Governments; and

WHEREAS, the purpose of the study, which was to examine existing efforts to protect the open space resources of the ridgelands and to recommend additional actions which would aid in their protection, has been achieved; and

WHEREAS, this Board has determined that the Findings and Recommendations of the report are appropriate for implementation by those agencies having jurisdiction in the study area; and

WHEREAS, this report represents the initial step in an inter-jurisdictional approach to protecting the ridgelands open space resources which needs the full support of those agencies involved;

NOW, THEREFORE, BE IT RESOLVED that, upon the recommendation of the Park District's Park Advisory Committee and staff, this Board hereby endorses and approves "RIDGELANDS - A MULTI-JURISDICTIONAL OPEN SPACE STUDY"; and

BE IT FURTHER RESOLVED that this Board will continue to use its best efforts in implementing those recommendations of the report which are within its jurisdiction; and

BE IT FURTHER RESOLVED that the General Manager is hereby directed to notify the other participating agencies in the study of this official endorsement and ask that they take similar action in the near future.

Moved by Director Howard L. Cogswell, seconded by Director Mary Lee Jefferds, and adopted this 7th day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-36

February 7, 1978

AUTHORIZATION TO AWARD A CONTRACT FOR DESIGN CONSULTING SERVICES IN CONNECTION
WITH CAPITAL IMPROVEMENTS AT REDWOOD REGIONAL PARK

WHEREAS, staff has demonstrated the need for design and engineering services in connection with Capital Improvements at Redwood Regional Park; and

WHEREAS, Carducci, Herman and Associates, Inc., Berkeley, California, have submitted a proposal for engineering and construction services for this project for an hourly charge, the total of which is not to exceed \$9,800 without prior written authorization by the District; and

WHEREAS, the sum of \$300,000 is appropriated in the FY 1977/78 Budget, Account No. 18-05, for Capital Improvements at Redwood Regional Park;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to execute and deliver the "Agreement for Design and Consulting Services for Improvements to Redwood Regional Park, Oakland, California" to Carducci, Herman and Associates, Inc. for engineering and design services in connection with Capital Improvements of Redwood Regional Park, in the form presented to the Board this date, for a fee not to exceed \$9,800; and

BE IT FURTHER RESOLVED that all payments to the consultants pursuant to said Agreement shall be from Account No. 18-05.

Moved by Director Harlan Kessel, seconded by Director William F. Jardin, and adopted this 7th day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-37

February 7, 1978

APPROVING PUBLICATION OF GUIDEBOOK TO THE REGIONAL PARKS

WHEREAS, staff, by presentation this date, has demonstrated the need for a comprehensive guidebook to the Regional Parks; and

WHEREAS, Author Ms. Penelope Hargrove has agreed to prepare the text for a guidebook to the Regional Parks and WILDERNESS PRESS of Berkeley has agreed to publish such guidebook under terms and conditions satisfactory to the District;

NOW, THEREFORE, BE IT RESOLVED that appropriate agreements for the preparation and publication of such Guidebook to the Regional Parks are hereby authorized, subject to approval of District Counsel, with Author Ms. Penelope Hargrove and publisher WILDERNESS PRESS, and that the President and Secretary are hereby authorized and directed to execute such agreements on behalf of the District; and

BE IT FURTHER RESOLVED that an allocation in the amount of \$14,000 from Account No. 1-40-552 is hereby approved to cover the total cost of the text and publication of the guidebook and all expenses related thereto.

Moved by Director William F. Jardin, seconded by Director John J. Leavitt, and adopted this 7th day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Harlan Kessel and John J. Leavitt.
AGAINST:	Director Mary Lee Jefferds.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-37

February 7, 1978

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APPROVAL OF AGREEMENTS CONCERNING PUBLICATION OF GUIDEBOOK
TO THE REGIONAL PARKS

WHEREAS, staff, by presentation this date, has demonstrated the desirability of having a comprehensive guidebook to the East Bay Regional Parks; and

WHEREAS, Author Penelope Hargrove has agreed to prepare the text for a guidebook to the Regional Parks and WILDERNESS PRESS of Berkeley has agreed to publish such guidebook under terms and conditions satisfactory to the District;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to execute agreements with Penelope Hargrove and with WILDERNESS PRESS of Berkeley for preparation and publication of a Guidebook to the Regional Parks, subject to approval of the Agreements by District Counsel, and the approval of a satisfactory royalty agreement with the publisher by the General Manager; and

BE IT FURTHER RESOLVED that the District shall not spend more than \$14,000 for preparation of the text of the guidebook and for purchase of the published work under said Agreements; and

BE IT FURTHER RESOLVED that the sum of \$14,000 is hereby appropriated from Account No. 1-40-552 to cover the cost of preparation of the text and estimated purchase price of the published guidebooks.

Moved by Director William F. Jardin, seconded by Director John J. Leavitt, and adopted this 7th day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Harlan Kessel, and John J. Leavitt.
AGAINST:	Director Mary Lee Jefferds.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-37

February 7, 1978

APPROVAL OF AGREEMENTS CONCERNING PUBLICATION OF GUIDEBOOK
TO THE REGIONAL PARKS

WHEREAS, staff, by presentation this date, has demonstrated the desirability of having a comprehensive guidebook to the East Bay Regional Parks; and

WHEREAS, Author Penelope Hargrove has agreed to prepare the text for a guidebook to the Regional Parks and WILDERNESS PRESS of Berkeley has agreed to publish such guidebook under terms and conditions satisfactory to the District;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to execute agreements with Penelope Hargrove and with WILDERNESS PRESS of Berkeley for preparation and publication of a Guidebook to the Regional Parks, subject to approval of the Agreements by District Counsel, and the approval of a satisfactory royalty agreement with the publisher by the General Manager; and

BE IT FURTHER RESOLVED that the District shall not spend more than \$14,000 for preparation of the text of the guidebook and for purchase of the published work under said Agreements; and

BE IT FURTHER RESOLVED that the sum of \$14,000 is hereby appropriated from Account No. 1-40-552 to cover the cost of preparation of the text and estimated purchase price of the published guidebooks.

Moved by Director William F. Jardin, seconded by Director John J. Leavitt, and adopted this 7th day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Harlan Kessel, and John J. Leavitt.
AGAINST:	Director Mary Lee Jefferds.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

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Moved by Director William F. Jardin, seconded by Director John J. Leavitt, and adopted this 7th day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Harlan Kessel, and John J. Leavitt.
AGAINST:	Director Mary Lee Jefferds.
ABSENT:	Director Walter H. Costa.

February 21, 1978

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MINUTES
REGULAR MEETING
EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS

2:15 p.m.

Tuesday, February 21, 1978

BART Headquarters
800 Madison Street
Oakland, California 94607

A. ROLL CALL

The regular meeting of the Board of Directors of the East Bay Regional Park District of Tuesday, February 21, 1978, was called to order by Board President Paul J. Badger at 2:15 p.m. The meeting was held in the Board Room at BART Headquarters, 800 Madison Street, Oakland.

Present: Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.

Absent: Director John J. Leavitt.

Staff: General Manager Richard C. Trudeau, Asst. General Manager Jerry D. Kent, Controller Ralph Meilandt, Chief of Administration Robert Owen, and Department Heads: Hulet Hornbeck, Chief of Acquisition; Lewis Crutcher, Chief of Planning and Design; Mac Slee, Chief, Public Information; Staff Members: Grace Lewis, Judy Walsh, Harold Luhtala, Bill Gries, and District Counsel Donn Black (Wendel, Lawlor, Rosen & Black).

Visitors: Although a number of visitors were present, only Jean Oates (Leslie Salt) and Ramona Pratt signed the Log.

B. APPROVAL OF AGENDA

Subject to the addition of an Executive Session on land acquisition with Attorney Jack Rogers prior to adjournment, on motion of Director Kessel, seconded by Director Cogswell, the agenda for the Board meeting was approved by unanimous vote.

C. APPROVAL OF MINUTES of February 7, 1978

Subject to typographical corrections, the Minutes for the Board Meeting of February 7, 1978 were approved by a 5 to 1 vote, on motion of Director Jefferds, seconded by Director Cogswell. Director Costa abstained, having been absent from that meeting.

D. BUSINESS BEFORE THE BOARD

1. CONSENT CALENDAR

a. Approval of Demands - February 10, 1978

Subject to cancellation of Warrant No. 42873 (subscription to the Wall Street Journal, Account No. 1-40-551) at the request of the General Manager, the Demands for February 10, 1978, were approved by unanimous vote on motion of Director Cogswell, seconded by Director Costa. Resolution No. 1978-2-38 covers the Board action and authorizes payment of the Demands for this period, totaling \$448,538.31. A copy of the resolution is attached for reference.

b. Acceptance of Financial Statement for January 31, 1978.

In commenting on the Financial Statement, President Badger stated he was quite concerned

about the large amounts remaining to be spent before the end of the fiscal year in the structures and improvements account (#574) for capital projects, in view of the fact that the fiscal year is coming to a close March 31 and the funds will go back into the General Fund or carried over. Mr. Badger also noted that there was a similar large unexpended balance for capital projects in the Supplemental Land Fund.

President Badger said he would like the Board Executive Committee (Directors Badger, Jefferds and Leavitt) to review this at their next meeting, which he would set up soon. Controller Meilandt stated that he did not believe the statement reflects the actual status of projects in progress, many of which will be completed by the end of the fiscal year. General Manager Trudeau also stated that the Board would probably be better served by having Mr. Crutcher make a special report as to where the District is on the projects, a number of which have been held up at the staff level for various reasons.

Director Cogswell noted that under Account No. 31-77 more than a million dollars has been allocated to the Hayward Shoreline project and that this was just authorized in December of last year from the Supplemental Land Fund and that there is sometimes a lag between the allocation and the actual expenditure of such funds.

Having stated their concerns, the Board ordered the January 31st statement accepted and filed. A copy of the statement is on file at the District Headquarters for public inspection.

2. AWARD OF CONTRACTS

a. Award of contract for construction of a bicycle trail bridge at Contra Loma.

On motion of Director Costa, seconded by Director Jefferds, Resolution No. 1978-2-39 was adopted by unanimous vote awarding a contract to Chas. I. Cunningham Co. of Oakdale for construction of a wood bridge and fencing for a bicycle trail adjacent to Contra Loma Regional Park. A copy of the resolution is attached for reference. The base bid totaled \$15,598.00. The resolution allocated \$17,598.00 for the project to include a \$2,000 contingency.

Mr. Crutcher stated that this will give nice bicycle access from the City of Antioch into the northern end of Contra Loma, making it unnecessary for bikers to use Lone Tree Way. Mr. Crutcher said the bids were in a good range and that the District estimate was \$17,500.00.

b. Rejection of bid to purchase Tow Tractor and authorization to purchase and modify a 3/4 ton Pickup.

On motion of Director Jefferds, seconded by Director Costa, Resolution No. 1978-2-40 was adopted by a vote of 5 to 1. In seconding the motion, Director Costa noted that the staff reasons for rejecting the bids for the two tractor were because the low bid was \$1700 over the staff estimate, and the fact that repair work for the pickup can be done for less money. Mr. Costa questioned why, if these facts were known to staff, they weren't taken into consideration before going out to bid. General Manager Trudeau said he had asked the same questions.

Lewis Crutcher, Chief of Planning and Design, explained that the tow tractor would be worthless if the District had to close down some operations, whereas the pickup could

be adopted for normal park use. Mr. Crutcher said other proposals for internal transportation are under study and the pickup would give the District more flexibility for use, and again, the maintenance problems on the present tractor have been pretty rugged.

General Manager Trudeau said he was satisfied with the staff arguments against the tow tractor, because of difficulty of making the terrain if it was shifted to another location, plus the down time on the tractor which was a lot more than anticipated. With that explanation, Mr. Trudeau said, he authorized the staff recommendation.

President Badger commented on the fact that the present tractor has to be filled every four hours with gasoline, meaning that a pickup has to go around with a tank of gas and that the actual filling of the tractor at certain times appears to be hazardous. Just from the point of keeping it loaded with fuel, Mr. Badger said, the pickup would be much more practical.

Director Cogswell also commented that a pickup has the advantage of the driver not having to be out in the weather. However, Director Jardin said the pickup would be used to pull two gondolas of people and equipment and with the driver in the cab of the pickup he would have less control of the people in the gondolas. The majority of these types of elephant trains, Mr. Jardin said, usually have the driver sitting in a tractor where he has quite a bit of control and can hear if someone starts to holler. Director Jardin also questioned the fact that the pickup did not have a 4-wheel drive, that the extra power would be needed if both gondolas are heavily used. For these reasons Director Jardin cast the "no" vote.

3. LAND ACQUISITION

a. Acceptance of Grant Deed to Wiemkem property, 0.014 acres, for access to Garin Regional Park.

By the motion of Director Cogswell, seconded by Director Jardin, and the unanimous vote of the Board, Resolution No. 1978-2-41 was adopted authorizing the exchange of a used redwood water tank in Garin Regional Park for the 0.014 acres needed for the widening of Garin Avenue. The resolution indicates that the grantor would remove the redwood water tank at his own expense. A copy of the resolution is attached for reference.

Bill Gries, Assistant Chief of Acquisition, explained that the District had no use for the water tank at Garin and that to remove it would have cost more than the worth of the strip of land needed for the road widening. Mr. Gries recommended the exchange so the road widening project could proceed. With the Board's concurrence, the resolution to cover the exchange was adopted as indicated above.

b. Acceptance of Quitclaim Deed of 9.9 acres of Kaiser property at Sibley Regional Preserve at no cost to the District.

By the motion of Director Kessel, seconded by Director Cogswell, Resolution No. 1978-2-42 was adopted by unanimous vote. A copy of the resolution is attached for reference, accepting the quitclaim deed from Kaiser Industries.

In a brief comment Chief of Acquisition Hulet Hornbeck stated that this acquisition, at no cost to the District, rounded out the Sibley Preserve and was an inholding in the Rossi property which the District recently acquired. The Board packet information indicated that the spoils from the pending Lake Temescal dredging operation will be deposited at this site.

c. Authorization to purchase Sabotka property at Huckleberry Regional Preserve, 0.376 acres, at \$5000.

On motion of Director Cogswell, seconded by Director Kessel, Resolution No. 1978-2-43 was adopted by unanimous vote, authorizing purchase of the Sabotka property at Winding Way. A copy of the resolution is attached for reference.

Assistant Chief of Acquisition Bill Gries stated that this was another parcel along Winding Way in the District's program to protect the Huckleberry Regional Preserve. Mr. Gries said this acquisition brings the total acquired along Winding Way to 2.1 acres. The appraised value, he said, was \$5,000, which is the purchase price for the parcel. The adopted resolution provides an additional \$500 to cover title and closing costs.

Responding to Director Jefferds, Mr. Gries stated that ten lots remain to be acquired, one of which is owned by the City of Oakland. President Badger asked if the lots were buildable. Mr. Gries said they were all recorded subdivision lots and are buildable, and if not acquired by the District development will take place in time.

d. Authority to seek legislative assistance on Berkeley Open Space Property (School for the Blind).

On motion of Director Jefferds, seconded by Director Kessel, Resolution No. 1978-2-44 was adopted by unanimous vote authorizing the General Manager to take appropriate action to seek legislative assistance to obtain a long term lease or fee conveyance of approximately 80 acres of State property near the School for the Blind in Berkeley for regional park and open space purposes. A copy of the resolution is attached for reference.

In reviewing the material submitted in the Board packet, President Badger noted that the lease for the Berkeley Open Space property expires in September 1980, and said it was well that the District move toward establishing a long term lease or acquisition in some manner at this time from the State.

In making the motion to seek legislative assistance, Director Jefferds said the District should be grateful not only to Tom Bates, but that this is a continuing matter of legislative assistance in the urban parks and areas, and as indicated in the notes had a long term involvement by another Assemblyman (Don Mulford). Director Jefferds said this was very much in order and suggested that a letter be sent to Mr. Bates from the Board indicating its gratitude for his willingness to involve himself in this matter. Miss Jefferds said this was a vital section of the proposed Claremont Canyon Preserve, which the Board has considered a number of times.

Director Kessel seconded the motion, as well as the remarks, and said this was being considered at a particularly important time because of the lease expiration and the activity of residents who are concerned about the last remaining open space in the Berkeley area. Director Kessel said if the District did not move ahead quickly, it will be taking a chance of having to pay a high price for the property later on.

Director Jefferds also suggested that staff offer Assemblyman Bates whatever additional assistance it can provide and was sure that the homeowner groups in the area were ready and willing to assist in terms of letters and information. Miss Jefferds said one of the proposals made by Bates' office to the Berkeley City Council has been to use the building as a conference center.

Chief of Acquisition Hulet Hornbeck stated that he would write to Assemblyman Bates and will send a copy of the information in the Board packet, as well as a map of the

area showing the various ownerships. Mr. Hornbeck also said the homeowner groups in the area will be kept informed of the District's action. General Manager Trudeau called attention to the fact that all bills to be introduced in this session of the Legislature have to be in by March 1. Under the circumstances, it was suggested that a telephone call on this matter be made to Assemblyman Bates, followed up by a letter.

4. FINANCE - OPERATIONS

- a. Approval of the "Experience Rated Reimbursement Method" of funding Unemployment Insurance Benefits for East Bay Regional Park District and setting aside \$100,000 for payment of First Year's Payments.

On motion of Director Jefferds, seconded by Director Jardin, Resolution No. 1978-2-45 was adopted by unanimous vote to implement the Unemployment Compensation program. A copy of the resolution is attached for reference.

In presenting the recommendation to implement unemployment compensation, Controller Meilandt stated that the background was explained in the Board packet and relates to a letter received on January 23, 1978, informing the District of passage of the bill and the requirement that the District make a selection of the manner in which it will pay the unemployment contribution.

Controller Meilandt stated the recommendation relates to an estimate of what the District's payments have been and what they may be in the future. Because of the heavy employment of six and nine month employees, Mr. Meilandt said, the exposure may be higher than that of other local agencies with a lesser percentage. Mr. Meilandt recommended setting up the District method under the experience rated tax basis and start out by paying 3.6% of the first \$6,000 of wages of all employees during this year and to carefully watch what actually happens in the way of unemployment compensation payments. The District; Mr. Meilandt said, can back out of this program at the end of any quarter and go into the local agency fund method, which is presently at 8/10's of 1% of the total payroll.

Mr. Meilandt stated that under the experience rated method the District would be subject to about \$100,000 a year in payments and a ceiling of 4.9%. Under the local agency entity fund, he said, the payment would be \$50,000, but that there was no ceiling as to how high it could go. To clarify questions posed by Director Cogswell, Controller Meilandt said the methods of payment set forth in AB-644 did not include the experience rated method of payment, but that there is a pre-existing unemployment insurance law that permitted the experience rated system to be used to which the District can avail itself.

Director Cogswell asked who has the say so over a situation where an employee quits without good cause, or is fired for misconduct or any other reason? Mr. Meilandt said the District has recourse to the State Appeals Board and would utilize the services of R. A. Harrington to handle this. Director Jardin said that when the former employee files, usually the employer has ten days in which to file an appeal; also, the State, even if the employer doesn't file an appeal, has the ability to contest a request for unemployment payments.

Controller Meilandt noted that if the District did not make a decision on this, the District would be part of the local agency entity fund and .8% of the payroll will be committed to that and whatever ceiling it takes as a result of future experience. Director Jardin asked if the District would pay both severance pay and unemployment insurance to employees let go. Mr. Meilandt stated that the lay off payments applied at present only to the management sector. Director Jardin pointed out that there is

legislation pending in the State Legislature to help districts to defray some of the expense of unemployment compensation. Director Kessel said that AB-6370 is being considered to provide \$6 million in funding and that SB 1400 may be the enabling bill in the Senate and that the Legislative Committee will look into this.

5. REPORTS and PRESENTATIONSa. Report of Legislative Committee

Chairman of the Legislative Committee Director Kessel reported that the committee met again earlier in the day, primarily discussing the Jarvis initiative. However, Mr. Kessel said, the committee was recommending endorsement of four bills, which were listed in the Board packet as AB 1109, AB 2370, SB 1359 and SB 1. Director Kessel reviewed each of the bills, the most critical of which was the Behr tax relief bill, SB 1. Director Kessel moved for adoption of appropriate resolutions of support of the four bills. Director Costa seconded the motion. Accordingly, Resolution Nos. 1978-2-46 and 1978-2-47 were adopted by unanimous vote in support of the legislation.

Resolution No. 1978-2-46 relates specifically to SB 1, Senator Behr's tax relief legislation. Resolution No. 1978-2-47 endorses and supports SB 1359 (Nejedly's Recreational Trails and Hostels bill), AB 1109 (Mangers' Coastal and Inland Water measure), and AB 2370 (Bane's Unemployment Compensation Insurance funding bill). Copies of the resolutions are attached for reference.

General Manager Trudeau briefly reviewed the status of the Behr bill in the various committees and said it was expected to go to the floor of the Assembly in the following week, with a number of changes or amendments.

Director Kessel commented that SB 1569, introduced by Senator Rodda, will provide the additional taxing revenue legislation in the event that the Jarvis Initiative passes by a 20% surcharge on income tax and several other revenue raising methods. It also defines 12 or 13 essential services, Mr. Kessel said. It was noted that parks were not included and that General Manager Trudeau has already written to Senator Rodda about this fact, and has taken other steps to include recreation and parks as an essential service. Mr. Trudeau said this was standby legislation and will only move in case the Jarvis Initiative passes. It was also mentioned that Directors Badger and Costa and Mr. Trudeau discussed the bill with Senator Rodda during their visit to Sacramento last week.

Director Kessel also made the motion to introduce the amending legislation regarding Board compensation clarifying the matter of noticing committee meetings. Director Costa seconded this motion, as well. Accordingly, Resolution No. 1978-2-48 was adopted by a vote of 4 to 2. Directors Jardin and Jefferds cast "no" votes. A copy of the resolution is attached for reference.

Before closing the report, Director Kessel proposed that the District proceed with plans for a luncheon with a number of State Legislators on Wednesday, April 5. Director Kessel also said it was important for the Legislative Committee and other Board Members to be in Sacramento on June 7 or 8, following the June 6 election.

As there appeared to be no urgency regarding amending election filing dates with those of other agencies, no action was taken on this subject at this time.

b. Report on ABAG Environmental Management Task Force.

In her presentation on the ABAG Environmental Management Plan, Executive Assistant Judy Walsh first pointed out that at no point in the discussions she has attended have they discussed the Jarvis Initiative and how it might affect the plan. The Jarvis Initiative, Ms. Walsh said, was not a factor in the planning stages of the study, which started two years ago, although Supervisor Joe Bort has indicated he would assign a task force to study the effect the Jarvis Initiative might have on the plan.

In explaining the plan, consisting of 600 pages of text the size of a telephone book, Ms. Walsh said the federal government, in the form of the Environmental Protection Agency, and the State, in the form of the State Water Resources Control Board, and the State Air Resources Control Board said: "Solve the problems of the environment in this region" and gave ABAG \$4.3 million to figure out how to do it. ABAG started 14 months ago involving the Metropolitan Transportation Commission, Bay Area Air Pollution Control District, S. F. Water Quality Board, and a 47 member Task Force, headed by Dianne Feinstein to come up with a plan to solve the environmental problems of the Bay Area, Ms. Walsh said.

Ms. Walsh stated that the Plan addresses itself to: status of water quality, water supply, air quality, and solid waste management, and goes into detail on just these four elements. No where does the plan specifically address parks and recreation or open space, Ms. Walsh said. Of the four elements in the plan, it identifies the problems, recommends ways to begin or continue to solve problems, suggests state agencies that should carry out certain recommended actions, and, contrary to some criticism, does address how recommendations will be financed. The plan speaks briefly about regulation and implementation, Ms. Walsh said, but does not address itself in enough detail, and many important questions on this addressed to the Task Force have been skirted and not answered sufficiently.

Other elements of the plan covered by Ms. Walsh were the water quality recommendations, which, if adopted, would aid the District as a cleaner bay would enhance the recreational possibilities and the shoreline park activities and use. On the water supply recommendations, EBMUD raised objections to this element of the plan pointing up errors in ABAG's analysis of existing water supply and that major water suppliers in the Bay Area cannot exchange water without high cost. EBMUD also objected to another level of government to monitor bay water which existing sewage agencies are already essentially doing.

Solid waste received the least attention of all the elements in the plan, Ms. Walsh said, and that the air quality recommendations were the most controversial and have the most impact on the district and the area. Because of the detail of this element of the plan, the recommendations are broken down into three categories: technical controls, transportation controls and land use management controls. It was felt by many that greater technical controls would mean increased costs to consumers and a burden on low income people. The transportation controls mainly addressed themselves to the question of mobility in exchange for less congestion and thus cleaner air, but would mean increased bridge tolls, a regional parking tax, preferential parking for carpools, additional transit service, and an auto control zone in downtown San Francisco and more extensive bicycle systems.

The overall idea of the transportation element is for jobs and residences to be closer together and both closer to mass transit. In theory this is a great concept, but raised numerous unanswered questions. Oakland, for instance, strongly objected as it would make downtown Oakland less competitive with suburban areas and would mean financial difficulties for the city. Additional public transit would be helpful to the District.

The Land Use Management controls have created the greatest stir and if passed, would alter the Bay Area, Ms. Walsh said. Basically, it calls for encouragement of compact

growth and reduction of urban sprawl, which would reduce need for long distance auto commuting.

Ms. Walsh said the District could be greatly affected by the Land Use Management Controls as inner city density would increase and the emphasis on park use would transfer from hill and suburban parks to shoreline and inner city parks. The need for parks in inner cities would increase as people would be living in more dense situations and would want to escape to open space near their dwellings. Critics of this element say they don't like having their life styles dictated, housing choices will be restricted, cost of land management controls have not been calculated, and minorities will be forced out of inner cities to make room for middle and upper classes returning to cities from suburbia.

Another major objection, Ms. Walsh said, has been that the pollution standards will be so severe that industry will not be able to compete and will move away from the Bay Area, and no new industries will be attracted to this area.

Two major problems of the entire plan are timing and implementation, the complaints being that ABAG had two years to draft the plan and that there has only been a few months to review it, Ms. Walsh said. Marin County withdrew from ABAG demanding more time for review, numerous major agencies pleaded for more time and both Senator Nejedly and Senator Hayakawa have asked for extensions. The implementation question also is not adequately addressed.

The major question is "who will be in charge if the plan passes?" ABAG will hold the purse strings affecting jobs, population growth, industrial siting, and life styles. Will ABAG thus become the regional governing body? Dianne Feinstein and other Task Force members say not and plead with member agencies to recognize this effort as their last chance for local jurisdiction, not to be lost to the State and federal government.

On the District's involvement in the plan, Ms. Walsh said, the Board should keep in mind that 600 pages of amendments have already been turned in, that the plan does not directly address the business of running parks and people's leisure time, and that delays will certainly be sought and granted. Ms. Walsh recommended that the Board keep a close eye on the plan, but not enter into lengthy debates on the specifics of the plan, and not take a position of support or opposition at this time.

The Board concurred that no action be taken on the plan at this time. Disappointment was also expressed that the District was not included in the task force inasmuch as the District is one of the major agencies concerned with the land. President Badger requested that Judy Walsh keep the Board informed as the plan progresses.

c. Presentation of Energy Puppet Show

Although the Energy Puppet Show was presented at the close of the session, it is listed here in the sequence of the agenda. Naturalist Josh Barkin, aided by his wife Pearl, presented their very popular puppet show on Energy. The puppet show has received excellent reports from various conferences, schools and groups where it has been shown. Mr. Barkin noted that various individuals are now cooperating in putting on the show, so that it does not have to be always performed by Mr. and Mrs. Barkin. Following the puppet show, the Board and audience enthusiastically applauded the performance.

E. ADDENDA TO AGENDA

None.

F. COMMUNICATIONS

Although quite a number of communications had been received and sent to the Board, General Manager Trudeau only called specific attention to his response to a letter dated January 20 from Mrs. Vinson, Paoli and Pipes regarding development at the north end of Briones. Mr. Trudeau said this was written to offer the group a series of dates for such a meeting, which will probably take place after the 20th of March.

Mr. Trudeau acknowledged receipt of letters from Assemblyman Boatwright and Senator Holmdahl in regard to the District's position on Proposition 13. Mr. Trudeau also called attention to EBMUD's News Bulletin concerning their Education Land Use Programs, something which was suggested by the District a number of years ago but not implemented. Mr. Trudeau also noted the letter from Russ Chall, State Department of Parks and Recreation regarding the public meeting on the Carnegie Motorcycle Park as a unit of the State Park System to be held in Livermore on February 23, 1978, at 7 p.m. at the Livermore Area Recreation and Park District headquarters.

G. COMMENTS - General Manager, Board, Public

General Manager Trudeau reminded the Board that their Statements of Financial Interests have to be filed by March 2, 1978, and that if any Board Members have any questions Pat Durham and Donn Black (Wendel, Lawlor, Rosen & Black) may be helpful. (It should be noted for the record that all Board Statements were received prior to the deadline and mailed to the Fair Politician Practices Commission, as required, in Sacramento).

Chief of Public Information Mac Slee reminded the Board that ground breaking ceremonies will take place at the Martinez Shoreline at 12 noon, Friday, March 3, in the Granger's Park Area at the foot of Berrellessa Street. Following the ceremony, an informal luncheon will be held at Paul's Restaurant at 1521 Alhambra Avenue, Martinez, Mr. Slee said. The ceremony is being coordinated closely with President Paul Badger and Martinez City Manager Lee Walton, and that Senator Nejedly, Assemblyman Knox and Supervisor Nancy Fahden are among those who have already indicated they will attend, Mr. Slee said.

In response to a letter from the Alameda County Mayors' Conference nominating Mr. Hans Thompson, Director of Recreation and Parks, City of Oakland, to serve a new two-year term as a member of the Park Advisory Committee, Director Kessel moved to approve the nomination. Director Jefferds seconded the motion. Accordingly, Resolution No. 1978-2-49 was adopted by unanimous vote, a copy of which is attached for reference.

Director Kessel also noted the resignation of David Way as a member of PAC due to heavy work commitments and moved for adoption of a resolution of commendation to Mr. Way, to be presented to him at the PAC meeting on Monday, March 6. Director Jefferds seconded the motion. Resolution No. 1978-2-50 accepting the resignation and commending Mr. Way for his tremendous service to the District will be presented to him on March 6 as requested.

It was noted that many of the terms for PAC members expires March 31, 1978 and that there are a series of appointments to be made, which will be presented to the Board for acceptance at the time PAC makes its annual report to the Board in April. President Badger also suggested that some recognition be given to the PAC membership for their assistance, interest, and time they have devoted to District matters. President Badger suggested that the District recognize their service by a luncheon or dinner. Other Board Members agreed this was a good idea.

President Badger asked about the status of the Board Room at District Headquarters, that he would like to have a report on its status, that it should not be held up because of the Jarvis amendment.

H. EXECUTIVE SESSION

Following completion of the business before the Board, the Directors adjourned into Executive Session with Attorney Jack Rogers on land acquisition matters.

I. ADJOURNMENT

When the Board returned to open session, as there was no further business before the Board, the meeting adjourned at 5:30 p.m.

Respectfully submitted

Harold R. Luhtala, Secretary

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-38

February 21, 1978

APPROVAL OF DEMANDS - February 10, 1978

BE IT RESOLVED that the items set forth and as presented in the Demand Register for the period ending February 10, 1978, totaling \$448,538.31, are hereby approved and authorized for payment.

Moved by Director Howard L. Cogswell, seconded by Director Walter H. Costa, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

RECEIVED
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EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-39

February 21, 1978

AWARD OF CONTRACT AFTER BIDDING - WOOD BRIDGE AND FENCING FOR
BICYCLE TRAIL ADJACENT TO CONTRA LOMA REGIONAL PARK

WHEREAS, bidding for the Wood Bridge and Fencing for the Bicycle Trail adjacent to Contra Loma Regional Park was duly authorized in the FY 1977/78 Budget; and

WHEREAS, the call for bids was published in the Oakland Tribune, Contra Costa Times, Hayward Daily Review and Daily Pacific Builder on January 30, 1978; and

WHEREAS, five timely bids were received and opened on February 15, 1978 as set forth in the following summary of bids:

<u>BIDDER</u>	<u>BASE BID</u>
Chas. I. Cunningham Co., Oakdale	\$15,598.00
Bob Moller, Landscape Contruction, Inc. Pleasant Hill	\$15,945.00
Murdoch Engineering & Construction, Orinda	\$17,786.00
R. M. Harris Co., Moraga	\$24,226.00
Ora E. Elliott, Castro Valley	\$24,395.00; and

WHEREAS, staff has recommended acceptance of the Base Bid on which the District estimate was \$17,500 for the project and the lowest responsible bid for such Base Bid was in the sum of \$15,598.00 by Chas. I. Cunningham Co., Oakdale, California ("low bid"); and

WHEREAS, the sum of \$35,000 has heretofore been appropriated to Account No. 34-09 for this and other projects, \$13,164.39 thereof having heretofore been allocated to pre-bid expenses and to other projects;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such low bid by District Counsel, the President, Secretary and General Manager are each hereby directed to take all appropriate action to award a contract to Chas. I. Cunningham Co. in accordance with this resolution; and

BE IT FURTHER RESOLVED that the total sum of \$17,598.00, which includes a \$2,000 contingency allowance, is hereby allocated from Project Account No. 34-09 for this project.

Moved by Director Walter H. Costa, seconded by Director Mary Lee Jefferds, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-40

February 21, 1978

REJECTION OF BID FOR TOW TRACTOR - POINT PINOLE REGIONAL SHORELINE

WHEREAS, the Board approved acquisition of a TOW TRACTOR for Point Pinole Regional Shoreline in the FY 1977/78 mid-year budget review; and

WHEREAS, the call for bids was published in the Hayward Daily Review on December 12, 1977, and in the Oakland Tribune on December 14, 1977, and requests to bid were sent to four prospective bidders; and

WHEREAS, two timely bids were received on the TOW TRACTOR and opened in public on December 30, 1977, as set forth in the following summary:

<u>BIDDER</u>	<u>BID</u>	
Clarklift/Oakland, Inc.	\$11,045.00	
Edward R. Bacon Company	no bid	; and

WHEREAS, the staff estimate was \$10,000 for the cost of the equipment and the low bid of \$11,045.00, plus sales tax of \$717.93, exceeds the staff estimate by \$1,762.93; and

WHEREAS, staff had developed alternate equipment suitable for the same use that can be purchased through the State of California for approximately \$7,500 for the internal transportation system;

NOW, THEREFORE, BE IT RESOLVED that the only bid received, that of Clarklift/Oakland, Inc. is hereby rejected; and

BE IT FURTHER RESOLVED that the President and Secretary are authorized to execute and deliver appropriate documentation to purchase a new 3/4 ton Dodge Pickup Truck through the State of California Equipment Bid, and modify such truck as proposed this date at a total cost not to exceed \$8,000; and

BE IT FURTHER RESOLVED that the sum of \$8,000 is appropriated from Budget Account No. 5-08-578 for such acquisition.

Moved by Director Mary Lee Jefferds, seconded by Director William F. Jardin, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Director William F. Jardin.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-41

February 21, 1978

AUTHORIZATION TO ACCEPT GRANT DEED TO PARCEL ALONG GARIN AVENUE FOR ACCESS TO
GARIN REGIONAL PARK - WIEMKEN BROTHERS

WHEREAS, the Zoning Administrator of Alameda County, by Resolution No. Z-2897, adopted April 27, 1977, issued Use Permit No. C-3191 for Garin Regional Park, which permit is subject to the widening of Garin Avenue to a minimum 20 feet in width; and

WHEREAS, subject property is one of four parcels necessary for such widening of Garin Avenue; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized and directed to accept a Grant Deed from Edward C., Albert J. and Dean R. Wiemken to a portion of Alameda County Assessor's Parcel No. 83-254-7, containing 0.014 acres, more or less, as described in the Deed in exchange for a used redwood water tank in Garin Regional Park to be removed by Grantor, and the General Manager is hereby authorized to record the Deed; and

BE IT FURTHER RESOLVED that the sum of \$1,000 is appropriated from Supplemental Land Fund Account No. 29-20-308 to Project Account No. 31-95 for the expenses of this acquisition.

Moved by Director Walter H. Costa, seconded by Director William F. Jardin, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-42

February 21, 1978

AUTHORIZATION TO ACCEPT QUITCLAIM DEED AT SIBLEY REGIONAL PRESERVE
KAISER PROPERTY

WHEREAS, by Resolution No. 1977-7-207, dated July 19, 1977, this Board authorized acquisition of the Rossi property, approximately 147 acres, for addition to Sibley Regional Preserve; and

WHEREAS, Kaiser Industries Corporation held a disputed interest in a 10-acre portion of said property by reason of inadequate legal description in a grant deed, and the 10 acres were excluded from the July 19, 1977 acquisition; and

WHEREAS, Kaiser Industries Corporation has offered to quitclaim whatever interest it holds in those 10 acres; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to accept a quitclaim deed to 10 acres, more or less, being a portion of Assessor's Parcel No. 273-180-011 from Kaiser Industries Corporation, and the General Manager is hereby authorized to record such deed.

Moved by Director Harlan Kessel, seconded by Director Howard L. Cogswell, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

X

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-43

February 21, 1978

AUTHORIZATION TO PURCHASE SABOTKA WINDING WAY PARCEL
FOR HUCKLEBERRY REGIONAL PRESERVE

WHEREAS, by Resolution No. 1977-12-326, adopted December 6, 1977, an Acquisition Evaluation Report on Winding Way parcels at Huckleberry Regional Preserve was accepted by this Board; and

WHEREAS, Step 1 of the Parkland Planning Sequence and Review Policy and Steps 1 through 4 of the Parkland Acquisition Procedures Policy have been completed on the subject property, all in accordance with the District's Master Plan; and

WHEREAS, under the District's Environmental Review Manual, this acquisition is Categorically Exempt and therefore not subject to preparation and processing of environmental documents under CEQA; and

WHEREAS, Richard A. Sabotka has given the District an Option to Purchase Real Property, being Assessor's Parcel 273-212-007, said 0.376 acre parcel being among those approved for acquisition pursuant to Resolution No. 1977-12-326;

NOW, THEREFORE, BE IT RESOLVED that this Board authorizes and directs the President and Secretary to exercise the District's Option to Purchase Real Property from Richard A. Sabotka, dated February 2, 1978, and the President and Secretary are authorized to accept a Grant Deed to the property described in Western Title Insurance Company preliminary title report W-305868-2, dated January 7, 1977, and the General Manager is directed to record the Deed; and

BE IT FURTHER RESOLVED that \$5,500.00 is hereby appropriated from the Supplemental Land Fund, Account No. 29-20-308, to Project Account No. 31-96, to pay the purchase price of \$5,000.00 and title and escrow fees, appraisals, legal fees, and other expenses of the acquisition.

Moved by Director Howard L. Cogswell, seconded by Director Harlan Kessel, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-44

February 21, 1978

AUTHORITY TO SEEK LEGISLATION FOR LONG-TERM LEASE OR FEE CONVEYANCE
BERKELEY OPEN SPACE

WHEREAS, the District is leasing approximately 80 acres of State property in the City of Berkeley near the School for the Blind from the General Services Administration for park and open space purposes; and

WHEREAS, the lease with the State expires September 30, 1980; and

WHEREAS, the property is shown on the District's Master Plan as a part of the potential Claremont Canyon Master Plan park site;

NOW, THEREFORE, BE IT RESOLVED that the General Manager is authorized to take appropriate action in seeking legislative assistance to obtain a long-term lease or fee conveyance of the approximately 80 acres of State property near the School for the Blind in the City of Berkeley for regional park and open space purposes.

Moved by Director Mary Lee Jefferds, seconded by Director Harlan Kessel, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-45

February 21, 1978

IMPLEMENTATION OF UNEMPLOYMENT COMPENSATION PROGRAM

WHEREAS, AB 644 (McAlister) was signed into law January 30, 1978, effective January 1, 1978 and it is necessary to elect a method of financing the benefits to be paid pursuant to the implementation of AB 644; and

WHEREAS, Public Law 94-566, which required the passage of AB 644, is the subject of a constitutional challenge in which the East Bay Regional Park District is a plaintiff; and

WHEREAS, staff has recommended that the contribution rate (experience-rated) method pursuant to Section 982 of the Unemployment Insurance Code of the State of California be adopted; and

WHEREAS, staff has recommended the establishment of a reserve in the amount of \$100,000 to fund the first full year of benefit payments;

NOW, THEREFORE, BE IT RESOLVED that the East Bay Regional Park District implement AB 644 and establish an unemployment compensation program for its employees; and

BE IT FURTHER RESOLVED that payments made by the East Bay Regional Park District pursuant to implementation of AB 644 be made under protest pending outcome of the constitutional challenge to Public Law 94-566; and

BE IT FURTHER RESOLVED that the contribution rate (experience-rated) method pursuant to Section 982 of the existing UI Code be selected; and

BE IT FURTHER RESOLVED that the sum of \$100,000 be appropriated from the General Fund to fund the first full year of estimated benefits under this new program; and

BE IT FURTHER RESOLVED that the General Manager and Controller are hereby instructed and authorized to perform any and all acts necessary to implement this resolution.

Moved by Director Mary Lee Jefferds, seconded by Director Walter H. Costa, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-46

February 21, 1978

RESOLUTION OF SUPPORT OF SB 1 - INTRODUCED BY SENATOR PETER BEHR

WHEREAS, Senator Peter Behr has introduced major property tax relief legislation referred to as Senate Bill 1; and

WHEREAS, this Board has reviewed the objectives and provisions of SB 1 to provide significant and equitable tax relief to the homeowners and taxpayers of the State; and

WHEREAS, this Board is aware of the disastrous effect the Jarvis/Gann Initiative will have not only on those public agencies providing essential services to the residents of the State, but also of the harmful effect and chaos it will have upon the employment, prosperity and life style of every citizen of this State; and

WHEREAS, this Board finds that SB 1 is a reasonable and appropriate alternative to provide essential property tax relief;

NOW, THEREFORE, BE IT RESOLVED that this Board finds that adoption of SB 1 would be in the best interests of the citizens of the East Bay Regional Park District and the State, and does hereby support such legislation; and

BE IT FURTHER RESOLVED that the General Manager is directed to communicate a copy of this resolution to all East Bay legislators and to the Governor and urge its enactment.

Moved by Director Harlan Kessel, seconded by Director Walter H. Costa, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-47

February 21, 1978

RESOLUTION SUPPORTING PRINCIPLES EMBODIED IN LEGISLATIVE MEASURES BEFORE THE
STATE LEGISLATURE - 1978 SESSION

WHEREAS, Senator John A. Nejedly has introduced legislation referred to as SB 1359, Assemblyman Dennis Mangers has introduced legislation referred to as AB 1109, and Assemblyman Tom Bane has introduced legislation referred to as AB 2370; and

WHEREAS, this Board has reviewed the objectives and provisions of each of the proposed legislative measures;

NOW, THEREFORE, BE IT RESOLVED that this Board finds that adoption of each of these measures would be in the best interest of the citizens of the East Bay Regional Park District, and hereby accordingly supports such legislation and urges enactment of the of the following:

SB 1359 (Nejedly)	<u>Recreational Trails Bill</u>
AB 1109 (Mangers)	<u>Coastal and Inland Water Measure</u>
AB 2370 (Bane)	<u>Financing Unemployment Compensation Insurance</u>

BE IT FURTHER RESOLVED that the General Manager is hereby directed to communicate a copy of this resolution to the three Legislators who introduced the measures and to all East Bay Legislators and to the Governor.

Moved by Director Harlan Kessel, seconded by Director Walter H. Costa, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-48

February 21, 1978

APPROVING INTRODUCTION OF AB 854 RE: BOARD COMPENSATION

BE IT RESOLVED that the draft of AB 854 by the District Legislative Advocate under date of February 2, 1978, as amended by District Counsel under date of February 13, 1978, is approved; and

BE IT FURTHER RESOLVED that the Legislative Advocate is instructed to cause AB 854, in such form, to be duly introduced.

Moved by Director Harlan Kessel, seconded by Director Walter H. Costa, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa and Harlan Kessel.
AGAINST:	Directors William F. Jardin and Mary Lee Jefferds.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-49

February 21, 1978

DESIGNATION OF ALAMEDA COUNTY MAYORS' CONFERENCE REPRESENTATION TO
PARK ADVISORY COMMITTEE

WHEREAS, the Alameda County Mayors' Conference has nominated Mr. Hans Thompson, Director of Recreation and Parks, City of Oakland, to serve a new two-year term as a member of the District's Park Advisory Committee;

NOW, THEREFORE, BE IT RESOLVED that the nomination of Mr. Hans Thompson is hereby approved and he is designated to serve on the Park Advisory Committee until March 31, 1980.

Moved by Director Harlan Kessel, seconded by Director Mary Lee Jefferds, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

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EAST BAY REGIONAL PARK DISTRICT

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NOW, THEREFORE, BE IT RESOLVED that the nomination of Mr. Hans Thompson is hereby approved and he is designated to serve on the Park Advisory Committee until March 31, 1980.

Moved by Director Harlan Kessel, seconded by Director Mary Lee Jefferds, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

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NOW, THEREFORE, BE IT RESOLVED that the nomination of Mr. Hans Thompson is hereby approved and he is designated to serve on the Park Advisory Committee until March 31, 1980.

Moved by Director Harlan Kessel, seconded by Director Mary Lee Jefferds, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-2-44

February 21, 1978

AUTHORITY TO SEEK LEGISLATION FOR LONG-TERM LEASE OR FEE CONVEYANCE
BERKELEY OPEN SPACE

WHEREAS, the District is leasing approximately 80 acres of State property in the City of Berkeley near the School for the Blind from the State Department of General Services for park and open space purposes; and

WHEREAS, the lease with the State expires September 30, 1980; and

WHEREAS, the property is shown on the District's Master Plan as a part of the potential Claremont Canyon Master Plan park site;

NOW, THEREFORE, BE IT RESOLVED that the General Manager is authorized to take appropriate action in seeking legislative assistance to obtain a long-term lease or fee conveyance of the approximately 80 acres of State property near the School for the Blind in the City of Berkeley for regional park and open space purposes.

Moved by Director Mary Lee Jefferds, seconded by Director Harlan Kessel, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

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NOW, THEREFORE, BE IT RESOLVED that the General Manager is authorized to take appropriate action in seeking legislative assistance to obtain a long-term lease or fee conveyance of the approximately 80 acres of State property near the School for the Blind in the City of Berkeley for regional park and open space purposes.

Moved by Director Mary Lee Jefferds, seconded by Director Harlan Kessel, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

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WHEREAS, the property is shown on the District's Master Plan as a part of the potential Claremont Canyon Master Plan park site;

NOW, THEREFORE, BE IT RESOLVED that the General Manager is authorized to take appropriate action in seeking legislative assistance to obtain a long-term lease or fee conveyance of the approximately 80 acres of State property near the School for the Blind in the City of Berkeley for regional park and open space purposes.

Moved by Director Mary Lee Jefferds, seconded by Director Harlan Kessel, and adopted this 21st day of February, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

March 7, 1978

MINUTES
REGULAR MEETING
EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS

2:10 p.m.

Tuesday, March 7, 1978

BART Headquarters

A. ROLL CALL

President Paul J. Badger called the regular meeting of the Board of Directors of the East Bay Regional Park District of Tuesday, March 7, 1978, to order at 2:10 p.m. The meeting was held in the Board Room of BART Headquarters, 800 Madison Street, Oakland.

Present: Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.

Absent: Director Walter H. Costa.

Staff: General Manager Richard C. Trudeau, Asst. General Manager Jerry D. Kent, Chief of Administration Robert Owen, Controller Ralph Meilandt, Department Heads: Christian Nelson, Chief of Parks and Interpretation; Hulet Hornbeck, Chief, Land Acquisition; Lewis Crutcher, Chief of Planning and Design; Larry Olson, Chief, Public Safety; Mac Slee, Chief, Public Information; Linda Chew, Development Administrator; Staff Members: Bill Gries, Donald Harms, Judy Walsh, Dennis Beardsley, Grace Lewis, Harold Luhtala, and District Counsel Deanna Lyon (Wendel, Lawlor, Rosen & Black).

Visitors: Although a number of visitors were present, only Sharon Stephenson (Leslie Salt), Steven Spickard, and Sharon Graham (Contra Costa Taxpayers Ass'n) signed the Log.

B. APPROVAL OF AGENDA

Subject to the addition of an addenda item seeking additional state funding for the restoration of Lake Temescal, to be introduced by Senator Nicholas Petris in the State Legislature, and deletion of items 1 and 5 of the addenda at the request of staff, the agenda for the meeting was approved by unanimous vote on motion of Director Jefferds, seconded by Director Cogswell.

C. APPROVAL OF MINUTES of February 21, 1978

Subject to typographical corrections, the Minutes for the Board Meeting of February 21 were approved by unanimous vote on motion of Director Jefferds, seconded by Director Cogswell. Director Leavitt abstained as absent from that meeting.

D. BUSINESS BEFORE THE BOARD

1. CONSENT CALENDAR

On motion of Director Leavitt, seconded by Director Jefferds, Consent Calendar items "a" and "b" were approved by unanimous vote, as noted below. Director Kessel, who had participated in the City of Oakland Arbor Day planting ceremony at Joaquin Miller Park at noon, arrived just after the vote had been taken on these two items and therefore was noted as absent on the vote along with Director Costa.

a. Approval of Demands - February 20 and February 28, 1978.

Resolution No. 1978-3-51 covers the Board action approving the Demands for the periods February 20 and February 28, 1978, totaling \$91,450.87 and \$277,146.09, respectively. A copy of the resolution is attached for reference.

- b. Approval of naming the Visitor's Center at Robert Crown Beach "Crab Cove Visitors Center", as recommended by the Park Advisory Committee.

Resolution No. 1978-3-52 covers the Board action on this Consent Calendar item, approving the official naming of the Visitors Center at Robert Crown Regional Shoreline as the "Crab Cove Visitors Center". A copy of the resolution is attached for reference. The name for the visitors center was recommended by the District Park Advisory Committee.

- c. Approval of investment of District's idle funds in the most feasible types of instruments permitted by the Government Code.

Resolution No. 1978-3-53 covers the Board action on this item and authorizes investment of District funds on investment instruments, which investments previously had been limited to Certificates of Public Deposit and U.S. Treasury bills. The additional investment ability granted to the Controller will make it possible to take advantage of the best available rates of interest on maturity, in accordance with cash flow requirements. A copy of the resolution is attached for reference, which passed by unanimous vote, on motion of Director Jardin, seconded by Director Leavitt.

President Badger has requested that this item be removed from the Consent Calendar for discussion and asked Controller Meilandt for additional comments. Mr. Meilandt stated that in the past the District has always used non-negotiable certificates of time deposit as the medium of investment because they have been an excellent producer. However, Mr. Meilandt said, a number of other investments have been authorized by state law.

Mr. Meilandt said it might be advantageous for the District to use the other permissible forms of investment in certain specific time periods, some of which can be utilized for less than 30 days, others 60 days. Approval of the resolution, Mr. Meilandt said, would increase the flexibility of other forms of temporary investment of District funds for the best return.

- d. Approval to carry over the \$10,000 in the 1977/78 fiscal budget as the District's contribution (in addition to staff time) to the MTC Cooperative Agreement on the San Leandro Bay Transportation Study.

Resolution No. 1978-3-54, a copy of which is attached for reference, authorizes entering into Phase 2 of the San Leandro Bay Transportation Study on a cooperative basis with nine other Bay Area public agencies. The resolution was adopted by unanimous vote on the motion of Director Jefferds, seconded by Director Jardin.

This item was removed from the Consent Calendar for discussion at the request of Director Jefferds. Miss Jefferds said her purpose was to take advantage of Mr. Burt Crowell's attendance at the Board meeting, to comment on the study. Mr. Crowell, the Metropolitan Transportation Commission's study project leader, responding to questions by Director Jefferds on the three different alternatives to Bay Farm Island across San Leandro Bay to be studied in Phase 2, stated that the alternatives were put together

from the kinds of things that have been suggested to date and that there was no priority or favorability in the way they were listed from the standpoint of the District, the City of Alameda, or the Port of Oakland. All of the agencies, he said, are coming from different places and the objective of the study is to try and bring them together in some kind of reasonable compromise.

Mr. Crowell agreed with Director Jefferds that no one solution was going to be happy for everybody, that there would have to be a considerable amount of give and take and a combination, rather than any one of the alternatives listed in the Phase 1 report. Mr. Crowell said that since the preparation of the report the steering committee has met and collectively they have a set of some 40 to 50 pieces of alternatives that they may be talking about.

Director Jefferds asked if there was a time element. Mr. Crowell said that they were hoping to complete the study in 18 months, but that it is a difficult job to bring ten agencies along and in effect to reach a consensus. MTC's job, he said, is that of coordinator, rather than a strict director of the study and that it is not the intention of the regional agency to dictate to anybody what they should do, but rather to try and bring people together in a common agreement.

Miss Jefferds said she hoped that somewhere in the study some indication be made of the District's considerable investment in San Leandro Bay as a park and the detrimental effect certain combinations of circulation patterns would have on use of the parkland. Miss Jefferds said she was looking for some guidelines or a priority statement in the study.

Mr. Crowell said they fully recognized that when environmental factors are considered they must also consider the economics and aesthetics as well. Mr. Crowell complimented Lewis Crutcher, Chief of Planning and Design, serving as the District's spokesman on the study, and stated that Mr. Crutcher is doing a good job protecting the District's interest

Director Leavitt asked if any criteria had been developed for solving the problems, such as the least cost method or most direct route. Mr. Crowell said Phase 2 will develop a set of criteria and that least cost and most direct route will be one of the considerations, but not the primary guidelines.

Director Jardin asked if it was wise to commit the \$10,000 at this time in view of Proposition 13. General Manager Trudeau explained that this was already committed in this year's budget and that the resolution carries it over to the next fiscal year. Assistant General Manager Kent also explained that for the second phase the District has the option of either using staff or retaining consultants up to \$10,000, that the choice will be made later on and that the District's basic portion in the second phase deals with the environmental impact and effect of the various alternatives.

General Manager Trudeau also stated that San Leandro Bay is one of the parks which is going forward, even under the Jarvis Initiative, and is one of the parks that is proposed to keep open. Director Jardin as a concluding comment on the subject stated that a tunnel from 66th Avenue would protect the District's interest in San Leandro Bay and that this has been publicly and officially expressed on many occasions.

2. LAND ACQUISITION

- a. Authorization to enter into license agreement with U. S. Fish and Wildlife Service at Coyote Hills Regional Park.

Resolution No. 1978-3-55 covers the Board action on this item and authorizes execution

of a license agreement with the U. S. Fish and Wildlife Service for use of 0.755 acres of District land at Coyote Hills for construction of a visitor contact point in conjunction with the San Francisco Bay Wildlife Refuge in the south Bay. The resolution was adopted by unanimous vote on motion of Director Leavitt, seconded by Director Jardin. A copy of the resolution is attached for reference.

Assistant Chief of Acquisition Bill Gries in presenting this item, stated that the agreement had its origin prior to October 1972 when the District entered into an agreement of intent with U. S. Fish and Wildlife Service to make available to them certain acreage at Coyote Hills to be developed in conjunction with the Wildlife Refuge. The objective, Mr. Gries said, was to try to integrate the two facilities for the benefit of the community. At that time the agreement identified a small site along the shoreline, but subsequently it was determined that a location at the north end of Coyote Hills Regional Park was preferable for the development, Mr. Gries said.

Mr. Gries advised that the present agreement provides for an area of 0.755 acres at the north end of the park where the Wildlife Service will have the license to develop a "visitor contact point" consisting of an observation platform to view the bay, with several graphic displays interpreting different themes of the bay and providing access for maintenance vehicles.

In addition to access to the north Coyote Hills site, Mr. Gries said, the Wildlife Service will have access made available to them so they can get to a central Coyote Hills site where a similar visitors contact point is being developed on lands owned by the Refuge. The agreement, he said, is for a 25 year period, with an option to renew, and the license area is limited to the north Coyote Hills site for the sole purpose of constructing the observation platform. Mr. Gries described the observation platform and the displays and pointed out that there will be steps and a trail leading from the platform to the dikes out in the bay to allow people to go out and hike on the dikes for recreation, bird watching, nature study and the like. Public access will be from 8 a.m. to dusk, but special provisions will allow for earlier morning hours, Mr. Gries said.

The District can terminate or close Coyote Hills park at its discretion, Mr. Gries said, if the District runs into funding problems in light of Jarvis/Gann. It has that option and the park does not have to remain open because of the agreement with the federal government, he said. On bus parking, Mr. Gries said, the Service would like to have the opportunity of having approximately one bus a day to carry park visitors from their main visitors center, which is south of the proposed Dumbarton Bridge, to this location.

Responding to questions by Director Cogswell, Mr Gries stated that the bus would not go all the way out to the contact point, but only to the parking lot at the Coyote Hills park headquarters and will be permitted to use the District parking lot, but will not be allowed to go beyond that area. Director Cogswell suggested that this point should be clarified in the agreement, so that only maintenance vehicles will be permitted beyond the parking lot. Mr. Gries said it certainly was not the intent of the Wildlife Service to bring a bus to the contact point and there should be no problem including a statement that that effect in the document.

Prior approval of plans for the observation platform by the District are provided, Mr. Gries said, and it will be the responsibility of the Wildlife Service to maintain the platform. Adequate insurance for the District and a level of public safety will be provided by the Wildlife Service, Mr. Gries said. Because Land and Water Conservation grant funds were used by the District to purchase the park, approval of the agreement by the Department of Interior and the State Department of Parks and Recreation will be required, Mr. Gries said.

General Manager Trudeau called attention to the fact that if the Jarvis Initiative goes

through the District does have the right to close the park and that Wildlife Service has agreed to participate in maintaining the service road, and will be responsible for the signing.

Director Cogswell requested that the vehicular access be for maintenance purposes, deleting the words "and operation" purposes along the existing Coyote Hills Trails, and that public access be limited to hiking and bicycling and not equestrian traffic. Subject to these changes the Board unanimously approved the license agreement, as indicated at the top of page 4 of these Minutes. In a concluding statement, Mr. Gries said that construction of the visitor contact points will start in a matter of a couple of weeks, with the intent being to make both the Coyote Hills Regional facility and the Wildlife Refuge a compatible experience. Director Jardin commented that this was another example of two public agencies working together for the good of the community.

3. REPORTS

a. Report of Finance Committee - Director Harlan Kessel, Chairman.

Director Kessel, Chairman of the Finance Committee, in presenting the committee report, stated that the report included in the Board packet had been prepared by Bob Owen, Chief of Administration, and did factually summarize the committee recommendations. Director Kessel said that when the Finance Committee began its review of the budget, it was the hope that a final budget could be ready for Board adoption during the month of April, with work sessions in February, followed by a Board work session and public hearing in March.

Director Kessel said that because of the Jarvis/Gann Initiative the committee recommendation to the Board has been changed and that it is obvious to the committee that two budgets will be needed. One, if Proposition 13 passes, and the other a hypothetical budget because the District does not know what its tax base is going to be, which may range anywhere from 17¢ to 20.5¢. Because of day to day change in the situation, Mr. Kessel said, the planning process is difficult and the committee feels that it would be better to postpone the budget adopting procedure until the June election. The committee would continue to proceed with the work on two essential budgets, he said.

The main concerns of the Finance Committee are to keep the parks open, that the District has a loyalty to the park users, who foot the bill, the public, to the staff, management and regular employees; that the land acquisition priorities established in the Master Plan proceed; and to clarify the matter of the hiring freeze, that recruiting of returning six months permanent employees continue in the normal fashion, Mr. Kessel said.

Director Kessel stated that the District did not have an obligation to recruit beyond that of people who have not worked for the District before, and that certain other seasonal hires will be necessary, such as lifeguards on weekends. Director Kessel said it was the committee recommendation that seasonal firefighters not be hired, because of the availability of additional firefighters funded by the state in the area.

Director Kessel said the committee was recommending that the Board approve operation of the District at the current levels of expenditure; that seasonal hires continue for the period from April 1 through June 6; that the Finance Committee start considering budget alternatives should the Jarvis/Gann Initiative pass; and to consider moving ahead with the budgeting process in the event the Jarvis Initiative fails. Director Kessel moved for the Board to accept the committee recommendations. Director Jefferds seconded the motion. Accordingly, Resolution No. 1978-3-56 was adopted by unanimous vote. Although a copy of the resolution is attached for reference, the approved recommendations of the Finance Committee regarding the 1978/79 budget are listed on page 6 of these Minutes.

Resolution No. 1978-3-56 approves the following Finance Committee recommendations:

1. For the period from April 1, 1978 through June 7, 1978, the District shall be operated at a rate of expenditure not to exceed that of the current fiscal year.
2. Land acquisition, based on reserves which were accumulated under AB 925, will continue with the goal of achieving Master Plan directives.
3. The hiring freeze on new hires shall continue, with exceptions for essential positions, and six-month hiring in permanent park worker classifications shall be restricted to returning six-monthers only.
4. Seasonal hiring should proceed for lifeguards, concession workers and gate attendants who will be required to staff operations on weekends prior to June, but seasonal firefighters will not be hired at this time, subject to review based on fire conditions throughout the year.
5. All hiring shall be accomplished with the admonition that should the Jarvis-Gann Initiative pass, all seasonal and less than nine-month positions will be subject to elimination, but all personnel recruiting processes will continue so that the District may staff appropriately should an alternative to the Jarvis-Gann Initiative succeed.

Additionally, the Resolution calls for consideration of budget alternatives that will be necessary if the Jarvis-Gann Initiative passes and the District receives no replacement funding initially, as well as consideration of a proposed budget for recommended adoption immediately after the June 6 election should alternative tax legislation pass and the Jarvis-Gann Initiative fail.

Preceding adoption of the resolution, Bob Flasher, representing Local 2428, expressed appreciation of the fact that the returning six monthers were being allowed to come back to work. Mr. Flasher said that this was important because if the Board hadn't allowed them to come back, this would have been the first layoffs of permanent employees in the Park District.

Mr. Flasher stated that the hiring freeze, however, virtually stops the Affirmative Action Program, which has been coming along steadily for two years now, effectively putting an end to the program, and that the park work force will be taking the brunt of the cutbacks. Mr. Flasher suggested that placing a freeze on land acquisition and capital improvements would be a more effective means of getting the public to vote against the Jarvis Initiative. However, Director Kessel cautioned that scare tactics should not be used and that the land acquisition program should go forward regardless.

Director Kessel also stated, in responding to Mr. Flasher's concern about the hiring freeze, that it was not a total freeze and only applied to new hires. Director Kessel conceded some people will be lost in recruiting, but that the Board is trying to do the wisest thing under the circumstances. General Manager Trudeau also reported that the District has deferred development projects totaling one million dollars because of the Jarvis Initiative.

President Badger also commented that the District must have 100% cooperation in this crisis and that the Board will do everything in its power to work with staff and the people in the field to find an equitable way of solving the problem.

Dan Valesano, Business Representative/Law Enforcement for the Operating Engineers Local Union No. 3, commented on the Finance Committee meeting of February 22, 1978,

and referred to a letter dated March 5 addressed to Chairman Kessel which raised the issue of the Police Association being denied the opportunity for input to the Finance Committee budget recommendations. Mr. Valesano stated some of their officers had been advised that the committee meeting was a closed work session, although Local 2428 had been allowed to make a presentation.

Mr. Valesano noted from the information in the Board packet that one of the items under attack at the committee meeting was the helicopter program. Mr. Valesano objected to the fact that Jack Rogers was denied the opportunity to show alternative methods for financing the helicopter program. Director Kessel stated that since this was a "publicly noticed" meeting, everyone should have been permitted to speak. However, Director Kessel felt that because of the nature of some of the items that might be discussed at these work sessions, such as personnel and land acquisition, perhaps they should not be "publicly noticed", otherwise the committee would have to go into executive session on these matters.

Director Kessel said the mention of the helicopter program and the consultant services in the committee summary report was strictly by passing reference and no discussion on these took place. Mr. Valesano said he understood that the intent was not to exclude the Police Association, but that the effect was the same thing, and asked that they be allowed to make a statement at a budget session. President Badger and Director Kessel both stated that their input would be welcome.

Director Cogswell also expressed concern about non-recurring capital projects moving forward and was assured that the bidding process would continue and that each project will be considered by the Board as it moves forward.

b. Progress Report on State Legislature's tax relief program.

General Manager Trudeau reported on the events which took place in Sacramento regarding SB 1, Senator Behr's tax relief legislation, during the last few hectic days up to the time of the press conference and signing of the bill by Governor Brown and the Governor's public statement of opposition to the Jarvis/Gann Initiative. Mr. Trudeau stated that Controller Meilandt is assessing what effect SB 1 will have on the District and noted that there is other legislation in the hopper on business inventory tax and senior citizen tax relief which was not included in SB 1 and which will bear watching.

Mr. Trudeau stated that the two County Administrators have asked for figures on District costs and what the division of the property tax is between the two counties. Mr. Trudeau said one of the effects of SB 1 is that the two county Boards of Supervisors will make the appropriation of tax funds which, in effect, makes the District Board of Directors an advisory committee to the two Boards of Supervisors. Under the circumstances, Mr. Trudeau said, the District Board will no longer carry its own decision-making powers, which they are entitled to do as elected officials.

Mr. Trudeau said, in addition to the summary figures under SB 1, it was also imperative to give the County Administrators, since they will be coordinating the efforts, an initial idea of what would happen if the Jarvis Initiative went through. Mr. Trudeau credited Controller Meilandt and his assistant, Perry Carter, with putting the summary figures together.

Mr. Trudeau also reported that the campaign on "No on Proposition 13" is now in full swing. Mr. Trudeau suggested that the material sent to the Board on this subject is worthy of study and that copies had also been sent to the union locals. Mr. Meilandt, he said, did an excellent job in underlining the important sections. Controller Meilandt also

stated that he did not spend much time on the portion of the report dealing with school districts, but that if the Directors had the time, the effect on school districts is interesting reading as well. The report was put together by the Assembly Revenue and Taxation Committee staff, Mr. Trudeau said.

General Manager Trudeau said the District was given a little extra recognition for the work done because in addition to being asked to serve on the general over-all coalition committee, he has been asked to serve as a member of the steering committee. Mr. Trudeau reported that the committee has already met with Winner/Wagner & Associates, an advertising P.R. firm who has been asked to coordinate the effort. Mr. Trudeau said it was a very broad based coalition effort which includes business, labor, state employees, public employees, League of Women Voters; a very impressive group is involved. The campaign, Mr. Trudeau said, was monumental as the goal is to raise \$1.75 million as a campaign fund for radio, television slots, etc.

Mr. Trudeau said it was important to note that he was one of the few public agency representatives on the coalition. When a person represents another type of organization, they can put money into the campaign, Mr. Trudeau said, adding that the District cannot. Mr. Trudeau said that the Board should be aware that the action programs which were put together, he paid for himself and any time that he spends going to meetings, two of which have already taken place, he has duly marked this time on the time cards as being vacation time. Any trips required to coalition meetings and the like, Mr. Trudeau said, were at his own expense, as the District cannot be involved. Anybody from the District who participates in this, Mr. Trudeau said, has to follow the same guidelines and that some of the staff people who have volunteered understand that.

The guidelines, Mr. Trudeau said are clear that the District cannot put funds into the campaign itself, although it can talk about it and report on it. Although the Board Members and staff individually can contribute funds to the campaign, there can be no solicitation of a Board Member or a staff member to contribute funds. It is important, Mr. Trudeau said, that the District follows the guidelines to the letter.

Mr. Trudeau also reported on some of the activity which has taken place to date and advised that a number of Park Advisory Committee members have agreed to serve on a citizens committee for this campaign. Mr. Trudeau said they were going to go ahead with an economic impact study by Steve Spickard of the University of California, Institute of Governmental Studies.

Executive Assistant Judy Walsh explained the purpose of the economic impact study, which was to provide statistical data for the District in the event the District has to go out to get replacement revenues if the Jarvis Initiative is successful. Mr. Spickard had been recommended to come up with a plan that would satisfy the District's needs between now and June, so that the District will have something it can go back to the public with to proving its viability and if possible, develop a methodology for future studies.

Mr. Spickard spoke briefly about the study, stating that at the moment it was in the literature stage of compiling sources of information. Mr. Spickard said the final document will be turned in the early part of June, but that the statistical data will be made available to the District as soon as prepared. A number of suggestions were offered to Mr. Spickard as avenues to explore for his study.

c. Report on CPRS Conference at Fresno.

Each of the attendees to the Fresno conference, Directors Badger, Jefferds, Kessel, and General Manager Trudeau gave their impressions about the Fresno conference, with most of their comments relating to the Jarvis Initiative and the question and answer session with Senator Behr and Mr. Jarvis.

4. AWARD OF CONTRACTS

- a. Authorization to amend the contract with MacKay and Soms to provide engineering services for the widening of Garin Avenue.

Based on the information contained in the Board packet, Director Leavitt moved to authorize amending the agreement with MacKay and Soms to expand their services to include field construction staking and additional engineering services at an additional cost of \$7,750. Director Cogswell seconded the motion. Accordingly, Resolution No. 1978-3-57 was adopted by unanimous vote, a copy of which is attached for reference. The total maximum fee for the project now is \$17,650 for the engineering services.

- b. Award of contract for reconstruction of Jewel Lake Bridge.

On the basis of the information contained in the Board packet, Director Jefferds moved to award the bridge reconstruction contract to Alan R. Barreca, Inc. and Alan R. Barreca, a Joint Venture, at a total cost for the project of \$9,450 which included \$1,000 for contingencies. Director Cogswell seconded the motion, which passed by unanimous vote. A copy of the Resolution, No. 1978-3-58, is attached for reference.

E. ADDENDA TO AGENDA

1. Rejection of bids for remodeling the Crown Beach Exhibit Lab and authorization to complete the work by Force Account.

This item was deleted from the agenda at the request of staff for further review.

2. Authorization to add \$9,000 to Garin Phase 2 Contract by Change Order for Dry Creek Bank Protection and allocation of \$6,000 for Silt Removal.

On motion of Director Leavitt, seconded by Director Cogswell, Resolution No. 1978-3-59 was adopted by unanimous vote allocating \$15,900 for dam repairs at Newt Pond, the banks along Dry Creek, and the siltation ponds above Jordan Pond at Garin Regional Park. A copy of the resolution is attached for reference. The Board action was taken on the basis of the information included in the Board packet.

3. Award of contract to R. M. Harris Company of Moraga in the amount of \$30,825 for construction of a bridge across Tassajara Creek at the Tassajara Regional Land Bank.

On motion of Director Jardin, seconded by Director Jefferds, Resolution No. 1978-3-60 was adopted by unanimous vote, awarding a contract to the low bidder, R. M. Harris Company

of Moraga at a base bid of \$30,825. The resolution provides for an allocation of \$33,825 for the project, including a contingency allowance of \$3,000. A copy of the resolution is attached for reference.

4. Authorization to purchase 4-wheel drive, rubber-tired Diesel Tractor for use at Robert Crown Regional Shoreline.

On motion of Director Leavitt, seconded by Director Jardin, Resolution No. 1978-3-61 was adopted by unanimous vote authorizing purchase of the tractor from Hayward Ford Tractor Sales at a total cost of \$35,145.00, including applicable sales taxes. A copy of the resolution is attached for reference.

5. Award of contract for installation of fuel tanks, pumps and lift for the Vehicle Maintenance Shop at the Chabot Service Yard.

This item was deleted from the agenda at the request of staff for further review.

6. Supporting introduction of legislation by Senator Nicholas Petris to provide additional funds to restore and preserve Lake Temescal.

This item was added to the agenda at the request of Director Kessel, who introduced a resolution in support of Senator Nicholas C. Petris in seeking State legislation to provide additional funds to restore and preserve Lake Temescal. Director Kessel reviewed the siltation problems at Lake Temescal and the possibility of this heavily used urban recreation facility becoming a marsh if some drastic action isn't taken to restore the lake to its original depth.

Director Jefferds seconded Mr. Kessel's motion, which passed by unanimous vote. Resolution No. 1978-3-62 covers the Board action, a copy of which is attached for reference.

7. Reappointments to Park Advisory Committee

The Board adopted one more formal resolution on motions of the Directors and that was the reappointment of representatives to the Park Advisory Committee for a term of two years, terminating March 31, 1980. A copy of the resolution, which passed by unanimous vote is attached for reference, No. 1978-3-63.

Director Jardin made the motion to reappoint Dr. Arthur B. Emmes as his representative to the PAC. Director Cogswell seconded the motion. Director Jefferds made the motion to reappoint Mrs. Kay Kerr as her representative, which motion was seconded by Director Kessel. Director Badger made the motion to reappoint Mrs. Lucretia Edwards to the committee, which motion was seconded by Director Leavitt. Director Cogswell moved to reappoint Mr. Philip Holmes as his representative to the committee to be conditioned upon acceptance by Mr. Holmes. Director Jefferds seconded the motion. In the absence of Director Costa, President Badger reappointed Mr. George Cardinet as the representative from Ward 6 to the PAC. Director Leavitt seconded the motion.

F. COMMUNICATIONS

Although a great many letters had been received and sent to the Board, General Manager Trudeau commented only on three. One from Richard Paoli, President of Tavan Estates Homeowners Association informing the Board that their association had adopted a resolution supporting the Citizens' Plan for Briones Regional Park. A number of meeting dates have been suggested, Mr. Trudeau said, to meet with the group, and it was hoped that a meeting could take place in early April. Mr. Trudeau felt that the meeting should be with staff at this point to preserve the Board's ability to make a decision at a later date.

Mr. Trudeau said he has requested Christian Nelson, Chief of Parks and Interpretation, to respond to the letter from Marc FitzGerald (age 13) requesting that the District consider designating an area for the competitive sport of Bicycle Motorcross(BMX). Mr. Nelson said this is being reviewed by staff and the idea has not been ruled out.

The third letter mentioned by Mr. Trudeau was one from the Bay Area Air Pollution Control District advising that a vacancy on the Advisory Council existed. President Badger suggested that one of the members of the Park Advisory Committee might be interested as serving as the District's representative on the advisory council. The matter was turned over to Chief of Administration Bob Owen to take up with PAC.

G. COMMENTS - GENERAL MANAGER, BOARD, PUBLIC

General Manager Trudeau reported that although the District had no advance information on the National Recreation and Park Association workshop in San Francisco, March 6-7, Judy Walsh did attend the workshop, after receiving notification from Sylvia McLaughlin that the workshop was taking place. Ms. Walsh said the workshop was very worthwhile, that they spent two solid days going over urban setting proposals that have been presented to President Carter. In summarizing the workshop, Ms. Walsh said the basic concerns were the allocation of M & O money, the problems small local parks have with that, and the problems of understanding of the change-over of BOR to the Heritage Conservation and Recreation Service. Ms. Walsh stated that she took extensive notes. Director Kessel suggested that the Board would be interested in having her written report.

Complying with the request of President Badger on the status of construction projects, Assistant Chief of Planning and Design Donald Harms distributed a report on the status of each project in each park, when it is scheduled to go to bid. Mr. Trudeau cautioned that staff may not be able to follow the schedule deadlines, but will certainly make every effort to do so. President Badger suggested that the Board Members study Mr. Harms report and bring up any questions at the next Board meeting. President Badger also suggested that staff feed into the report what effect the Jarvis Initiative will have on the projects, that there was no deadline on this, however.

Chief of Acquisition Hornbeck suggested that the Board consider a field trip to look at some property at Chabot where a portion of a private structure is upon District land, which was the subject of a confidential memo to the Board. Several Board Members stated that they would go out and look at the situation on their own. It was suggested, however, that the Directors notify Mr. Hornbeck when they plan to go so that the property owner can be alerted to the fact.

General Manager Trudeau advised that he has asked Chief of Administration Owen for a report on the status of appointments to the Park Advisory Committee. In regard to the Park Advisory Committee, Director Kessel stated that he attended the last PAC meeting to present Mr. David Way with the Board's resolution of appreciation. Mr. Kessel complimented

Nancy McKay of the Public Information staff for the art work and framing of the resolution. Director Kessel also commented on the suggestion by PAC that the Board adopt a resolution to the effect that none of the District holdings in the Land Bank status be sold. Mr. Trudeau said also the intent was good on the part of PAC the actual result would have been bad for the District, as when lands are taken off the land bank status, it has to be determined where it fits into the District's program and would also require a degree of maintenance and operation which the District may not be prepared to follow. In other instances, Mr. Trudeau said, the property may not be suitable for park purposes, but may be used for the purchase of other lands.

Mr. Kessel said he was very impressed with the work the Park Advisory Committee is doing. Mr. Kessel explained his reason for being late to the meeting, having attended a tree planting at Joaquin Miller Park. Mr. Kessel read a poem by Gary Snyder celebrating arbor day, which was signed by the Governor.

President Badger again suggested that the Park Advisory Committee be honored with a luncheon or dinner in recognition of their contributions to the District.

Several committee meetings were announced: The Insurance committee to meet on Tuesday, March 14, 11:00 to 1:00. The Finance committee to meet on Wednesday, March 15, at 12:00. The Shoreline Committee and Master Plan committee meetings scheduled for later in the month, along with the Executive Committee of the Board.

President Badger also complimented Mac Slee for his work in making the ground-breaking ceremonies at the Martinez shoreline a successful and happy occasion and the cooperation of the weatherman until the ceremonies were over.

H. ADJOURNMENT

As there was no further business to come before the Board, the meeting adjourned at 4:45 p.m.

Respectfully submitted

Harold R. Luhtala, Secretary

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-51

March 7, 1978

APPROVAL OF DEMANDS - February 20 and February 28, 1978

BE IT RESOLVED that the items set forth and as presented in the Demand Register for the period ending February 20, 1978, totaling \$91,450.87, and the Demand Register for the period ending February 28, 1978, totaling \$277,146.09, are hereby approved and authorized for payment.

Moved by Director John J. Leavitt, seconded by Director Mary Lee Jefferds, and adopted this 7th day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors Walter H. Costa and Harlan Kessel.

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EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-52

March 7, 1978

ADOPTION OF "CRAB COVE VISITORS CENTER" AS THE OFFICIAL NAME
OF THE VISITORS CENTER AT ROBERT CROWN REGIONAL SHORELINE

WHEREAS, the Park Advisory Committee has recommended, with staff support, the name "Crab Cove" for the Visitors Center at Robert Crown Regional Shoreline; and

WHEREAS, such recognition is in accord with the District Master Plan;

NOW, THEREFORE, BE IT RESOLVED that the Robert Crown Regional Shoreline Visitors Center shall be officially named "Crab Cove Visitors Center".

Moved by Director John J. Leavitt, seconded by Director Mary Lee Jefferds, and adopted this 7th day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, and John John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Directors Walter H. Costa and Harlan Kessel.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-53

March 7, 1978

AUTHORIZATION TO INVEST DISTRICT FUNDS

WHEREAS, staff has demonstrated a need to review the instruments legally available to the District for the investment of idle funds; and

WHEREAS, Sections 53630-53632 of the Government Code authorize the District to make inactive deposits in banks and savings and loans; and

WHEREAS, it has been the practice of the District to limit its investment of temporarily idle funds to Certificates of Public Deposit and U. S. Treasury Bills; and

WHEREAS, Section 53635 of the Government Code authorizes, in part, investments in:

1. United States Treasury Notes, bonds, bills, or certificates of indebtedness or those for which the faith and credit of the United States are pledged for the payment of principal and interest;
2. Registered state warrants or treasury notes or bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the State or by a department, board, agency or authority thereof;
3. Obligations issued by banks for cooperatives, Federal land banks, Federal intermediate credit banks, Federal home loan banks, the Federal Home Loan Bank, The Tennessee Valley Authority, or in obligations, participations, or other instruments of or issued by, or fully guaranteed as to principal and interest by, the Federal National Mortgage Association; or in obligations, participations, or other instruments of or issued by a Federal agency or a United States government-sponsored enterprise;
4. Bills of exchange or time drafts drawn on and accepted by a commercial bank, otherwise known as bankers' acceptances, which are eligible for purchase by the Federal Reserve System, but purchase of bankers' acceptances may not exceed 270 days maturity or 30 percent of the agency's surplus funds.

NOW, THEREFORE, BE IT RESOLVED that the Controller of the District or his authorized representative is hereby authorized to maximize the yield on investment or temporarily idle District funds by employing any of the above investment instruments for the maturities appropriate at time of investment, in the discretion of the Controller.

Moved by Director William F. Jardin, seconded by Director John J. Leavitt, and adopted this 7th day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-54

March 7, 1978

AUTHORIZATION TO ENTER INTO SAN LEANDRO BAY
TRANSPORTATION STUDY COOPERATIVE AGREEMENT (PHASE 2)

WHEREAS, the District is constructing a Regional Shoreline around San Leandro Bay; and

WHEREAS, existing and proposed traffic arterials threaten the recreation quality of San Leandro Bay Regional Shoreline; and

WHEREAS, the Metropolitan Transportation Commission has initiated a two-phase San Leandro Bay Transportation Study to resolve anticipated traffic problems surrounding San Leandro Bay; and

WHEREAS, District staff has participated in Phase 1 of the Transportation Study; and

WHEREAS, it is in the public interest that the District continue its participation in the Study;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to enter into the San Leandro Bay Transportation Study Cooperative Agreement with the Metropolitan Transportation Commission, the California State Department of Transportation, the Association of Bay Area Governments, the County of Alameda, the City of Oakland, the City of Alameda, the Port of Oakland, the City of San Leandro, and the Bay Area Rapid Transit District, for Phase 2 of the Study, subject to approval as to form thereof by District Counsel; and

BE IT FURTHER RESOLVED that the General Manager designate District representatives to the San Leandro Bay Transportation Study Policy Committee and the San Leandro Bay Transportation Study Steering Committee; and

BE IT FURTHER RESOLVED that FY 1977/78 funds budgeted for the San Leandro Bay Transportation Study be carried over to FY 1978/79.

Moved by Director Mary Lee Jefferds, seconded by Director William F. Jardin, and adopted this 7th day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-55

March 7, 1978

AUTHORIZATION TO EXECUTE LICENSE AGREEMENT WITH U. S. FISH AND WILDLIFE
SERVICE - COYOTE HILLS REGIONAL PARK - 0.755 ACRES

WHEREAS, the U. S. Fish and Wildlife Service desires to construct a visitor contact point at a location known as North Coyote Hills Site, located at the northwest corner of Coyote Hills Regional Park; and

WHEREAS, a form of license agreement has been negotiated between the staff of the Park District and the U. S. Fish and Wildlife Service; and

WHEREAS, in accordance with applicable statutes and regulations, the U. S. Fish and Wildlife Service has completed the required California Environmental Quality Act procedures for said installation and certified that the project will not have an adverse effect on the environment;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to execute and deliver to the U. S. Fish and Wildlife Service the license agreement in the form presented to the Board, and amended by the Board this date, authorizing the Licensee to create and use 0.755 of an acre in Coyote Hills Regional Park for its visitor contact point and including access through Coyote Hills Regional Park.

Moved by Director John J. Leavitt, seconded by Director William F. Jardin, and adopted this 7th day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

X

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-57

March 7, 1978

APPROVAL OF AMENDMENT TO AGREEMENT WITH MACKAY AND SOMPS TO PROVIDE
ENGINEERING SERVICES FOR WIDENING OF GARIN AVENUE, GARIN REGIONAL PARK

WHEREAS, pursuant to Resolution No. 1977-5-154, the District entered into an Agreement with MacKay and Soms for design and engineering services in connection with improvements to Garin Avenue at Garin Regional Park (the "Agreement") which provides for compensation on an hourly basis to a maximum of \$9,900; and

WHEREAS, staff has demonstrated the need for additional engineering services in connection with the widening of Garin Avenue; and

WHEREAS, the sum of \$340,000 has heretofore been appropriated to Account No. 34-06 for Phase 2 improvements at Garin Regional Park, all of this sum being committed to capital improvements;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such amendment by District Counsel, the President and Secretary are hereby authorized to execute and deliver to MacKay and Soms an amendment to the agreement for Engineering Consulting Services for Improvements to Garin Avenue, dated May 17, 1977, expanding such firm's services to include field construction staking and additional engineering services due to changes in the scope of the project for widening Garin Avenue, for a total maximum fee (under both the original agreement and the amendment) of \$17,650 and otherwise upon the same terms as in the original agreement; and

BE IT FURTHER RESOLVED that the additional sum of \$7,750 is hereby appropriated from Account No. 29-20-309 to Project Account No. 34-06 for the cost of the services under such Amendment.

Moved by Director John J. Leavitt, seconded by Director Howard L. Cogswell, and adopted this 7th day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Wlateral H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-58

March 7, 1978

AWARD OF CONTRACT AFTER BIDDING - JEWEL LAKE BRIDGE, TILDEN REGIONAL PARK

WHEREAS, bidding for the project known as Jewel Lake Bridge, Tilden Regional Park was duly authorized by Resolution No. 1977-11-311; and

WHEREAS, the call for bids was published in the Oakland Tribune, Contra Costa Times, Hayward Daily Review and Daily Pacific Builder on February 14, 1978; and

WHEREAS, five timely bids were received and opened on March 2, 1978, as set forth in the following summary of bids:

<u>BIDDER</u>	<u>Base Bid</u>
Alan R. Barreca, Inc. and Alan R. Barreca, a Joint Venture, Redwood City	\$ 8,450.00
Chas. I. Cunningham Co., Oakdale	9,361.00
Murdoch Engineering & Construction Co., Orinda	9,990.00
William A. Smith, San Ramon	11,367.00
R. M. Harris Co., Moraga	19,850.00 ; and

WHEREAS, staff has recommended acceptance of the Base Bid, for which the District estimate was \$10,000; and

WHEREAS, the lowest responsible bid for such Base Bid was in the sum of \$8,450.00 by Alan R. Barreca, Inc. and Alan R. Barreca, a Joint Venture ("low bid"); and

WHEREAS, the sum of \$18,500 has heretofore been appropriated to Account No. 18-19 for this project, \$2,300 thereof having heretofore been allocated to pre-bid expenses;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such low bid by District Counsel, the President, Secretary and General Manager are each hereby directed to take all appropriate action to award a contract to Alan R. Barreca, Inc. and Alan R. Barreca, a Joint Venture, in accordance with this resolution; and

BE IT FURTHER RESOLVED that the sum of \$9,450.00 is hereby allocated for the project from Project Account No. 18-19, which includes a \$1,000 contingency allowance.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 7th day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-59

March 7, 1978

ALLOCATION OF FUNDS TO CORRECT STORM DAMAGE AT GARIN REGIONAL PARK

WHEREAS, the District is developing Garin Regional Park for public use; and

WHEREAS, the heavy rains and storms this winter have damaged the dam at Newt Pond, the banks along Dry Creek, and filled the siltation ponds above Jordan Pond; and

WHEREAS, staff has demonstrated the need to repair this damage; and

WHEREAS, the sum of \$340,000 has heretofore been appropriated to Account No. 34-06 for Phase 2 Improvements at Garin Regional Park, all of this sum being committed to capital improvements;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby allocates \$15,900 from Account No. 29-20-309 to Project Account No. 34-06 for repairs to the dam at Newt Pond, the banks along Dry Creek, and the siltation ponds above Jordan Pond, at Garin Regional Park.

Moved by Director John J. Leavitt, seconded by Director Howard L. Cogswell, and adopted this 7th day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-60

March 7, 1978

AWARD OF CONTRACT AFTER BIDDING - TASSAJARA CREEK BRIDGE
TASSAJARA CREEK REGIONAL LAND BANK

WHEREAS, bidding for the project known as Tassajara Creek Bridge, Tassajara Creek Regional Land Bank, was duly authorized in the FY 1977/78 budget and a call for bids was published in the Oakland Tribune, Contra Costa Times, Hayward Daily Review and Daily Pacific Builder on January 30, 1978; and

WHEREAS, 10 timely bids were received and opened on February 23, 1978, as set forth in the following summary of bids:

<u>BIDDER</u>	<u>BASE BID</u>
R. M. Harris Company, Moraga	\$ 30,825
John H. Thomas & Son, Daly City	34,990
Wm. A. Smith Co., San Ramon	36,595
Alan R. Barreca, Inc., Redwood City	38,450
Murdoch Engineering & Construction, Orinda	39,550
Myers Construction Co., Santa Cruz	39,890
Ora E. Elliott, Castro Valley	45,743
Chas. I. Cunningham Co., Oakdale	46,872
Albay Construction Co., Martinez	51,000
Harry T. Mathews, Inc., Anderson	59,850 ; and

WHEREAS, staff has recommended acceptance of the Base Bid for which the District estimate was \$25,000 and for which the lowest responsible bid was in the sum of \$30,825 by R. M. Harris Co., Moraga, California ("low bid"); and

WHEREAS the sum of \$30,000 has heretofore been appropriated to Account No. 18-12 for this and other projects; \$4,400 thereof having heretofore been allocated to pre-bid expenses;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such low bid by District Counsel, the President, Secretary and General Manager are each hereby directed to take all appropriate action to award a contract to R. M. Harris Co., Moraga, in accordance with this resolution; and

BE IT FURTHER RESOLVED that the sum of \$25,600 is hereby allocated from Project Account No. 18-12 for this project and that an additional sum of \$8,225 is hereby appropriated from Account No. 29-20-309 to Project Account No. 18-12 for the remaining cost of this project and the incidental expenses related thereto, which includes a \$3,000 contingency allowance.

Moved by Director William F. Jardin, seconded by Director Mary Lee Jefferds, and adopted this 7th day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-61

March 7, 1978

AWARD OF CONTRACT AFTER BIDDING - TRACTOR, DIESEL, 4-WHEEL DRIVE
RUBBER-TIRED

WHEREAS, the Board approved acquisition of a replacement tractor for Robert Crown Beach in the FY 1977/78 budget; and

WHEREAS, the call for bids was published in the Oakland Tribune on February 6, 1978, and requests to bid were sent to seven prospective bidders; and

WHEREAS, five timely bids were received on the tractor, and one offer was received to purchase the used tractor, and opened in public as set forth in the following summary:

BIDDER	BID	Belmar Trade	Beach Leach Trade
Hayward Ford Tractor Sales	\$33,000	\$1,200	NB
Prather Ford Tractor Co.	35,000	NB	NB
Coastal Ford Tractor Co.	35,100	NB	NB
Hoyt Buettner Tractor Co.	NB	NB	NB
Mike Warden (offer to purchase only)	NB	\$3,110	NB

WHEREAS, staff estimate was \$37,000 for the cost of the tractor; and

WHEREAS, staff has recommended acceptance of the low bid of Hayward Ford Tractor Sales in the sum of \$33,000.00, plus applicable sales tax, for the tractor, for a total cost of \$35,145.00; and

WHEREAS, staff has recommended acceptance of the high bid for \$3,110 for the purchase of the District's used Belmar Tractor; and

WHEREAS, \$37,000 is budgeted for FY 1977/78 (Account No. 5-08-578) for purchase of the tractor;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bids by District Counsel, the President, Secretary and General Manager are each hereby directed to take all appropriate action to award a contract to the low bidder, Hayward Ford Tractor Sales, for the purchase of the new tractor, and to approve sale of the surplus Belmar Tractor to Mike Warden in accordance with this resolution and the call for bids.

Moved by Director John J. Leavitt, seconded by Director William F. Jardin, and adopted this 7th day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jeffers, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-63

March 7, 1978

REAPPOINTMENTS TO PARK ADVISORY COMMITTEE

WHEREAS, the terms of various representatives to the East Bay Regional Park District Park Advisory Committee expire March 31, 1978; and

WHEREAS, Director William F. Jardin moved to reappoint Dr. Arthur B. Emmes as his representative to the Park Advisory Committee, which motion was seconded by Director Howard L. Cogswell; and

WHEREAS, Director Mary Lee Jefferds moved to reappoint Mrs. Kay Kerr as her representative to the Park Advisory Committee, which motion was seconded by Director Harlan Kessel; and

WHEREAS, Director Paul J. Badger moved to reappoint Mrs. Lucretia Edwards as his representative to the Park Advisory Committee, which motion was seconded by Director John J. Leavitt; and

WHEREAS, Director Howard L. Cogswell moved to reappoint Mr. Philip Holmes as his representative to the Park Advisory Committee, conditionally upon Mr. Holmes acceptance, which motion was seconded by Director Mary Lee Jefferds; and

WHEREAS, in the absence of Director Walter H. Costa, Director Paul J. Badger moved to reappoint Mr. George Cardinet as Director Costa's representative to the Park Advisory Committee, which motion was seconded by Director John J. Leavitt;

NOW, THEREFORE, BE IT RESOLVED that the following persons are re-appointed to the Park Advisory Committee for a term of two years, commencing upon the expiration of their current memberships, March 31, 1978:

Mr. George Cardinet
Mrs. Lucretia Edwards
Dr. Arthur B. Emmes
Mr. Philip Holmes
Mrs. Kay Kerr

PASSED and ADOPTED this 7th day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-62

March 7, 1978

RESOLUTION OF SUPPORT OF SENATOR NICHOLAS C. PETRIS IN SEEKING STATE
LEGISLATION TO PROVIDE ADDITIONAL FUNDS TO RESTORE AND PRESERVE
LAKE TEMESCAL

WHEREAS, Senator Nicholas C. Petris has offered to introduce legislation which, if approved, would provide additional funding for the Lake Temescal Restoration Project; and

WHEREAS, Lake Temescal has exceptional recreational value to the urban residents of Alameda County and all residents within the District; and

WHEREAS, the District desires to maintain Lake Temescal as a recreational resource;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors supports the obtaining of additional funding for restoration and preservation of Lake Temescal and instructs staff to provide whatever information Senator Petris may need to introduce legislation for this purpose.

Moved by Director Harlan Kessel, seconded by Director Mary Lee Jefferds, and adopted this 7th day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-63

March 7, 1978

REAPPOINTMENTS TO PARK ADVISORY COMMITTEE

WHEREAS, the terms of various representatives to the East Bay Regional Park District Park Advisory Committee expire March 31, 1978; and

WHEREAS, Director William F. Jardin moved to reappoint Dr. Arthur B. Emmes as his representative to the Park Advisory Committee, which motion was seconded by Director Howard L. Cogswell; and

WHEREAS, Director Mary Lee Jefferds moved to reappoint Mrs. Kay Kerr as her representative to the Park Advisory Committee, which motion was seconded by Director Harlan Kessel; and

WHEREAS, Director Paul J. Badger moved to reappoint Mrs. Lucretia Edwards as his representative to the Park Advisory Committee, which motion was seconded by Director John J. Leavitt; and

WHEREAS, Director Howard L. Cogswell moved to reappoint Mr. Philip Holmes as his representative to the Park Advisory Committee, conditionally upon Mr. Holmes acceptance, which motion was seconded by Director Mary Lee Jefferds; and

WHEREAS, in the absence of Director Walter H. Costa, Director Paul J. Badger moved to reappoint Mr. George Cardinet as Director Costa's representative to the Park Advisory Committee, which motion was seconded by Director John J. Leavitt;

NOW, THEREFORE, BE IT RESOLVED that the following persons are re-appointed to the Park Advisory Committee for a term of two years, commencing upon the expiration of their current memberships, March 31, 1978:

Mr. George Cardinet
Mrs. Lucretia Edwards
Dr. Arthur B. Emmes
Mr. Philip Holmes
Mrs. Kay Kerr

PASSED and ADOPTED this 7th day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, William F. Jardin, Mary Lee Jefferds, Harlan Kessel, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director Walter H. Costa.

March 21, 1978

MINUTES
REGULAR MEETING
EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS

2:00 p.m.

Tuesday, March 21, 1978

BART Headquarters

A. ROLL CALL

The regular meeting of the Board of Directors of the East Bay Regional Park District of Tuesday, March 21, 1978, was called to order at 2:00 p.m. by Board President Paul J. Badger. The meeting was held in the Board Room of BART Headquarters, 800 Madison Street, Oakland.

Present: Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.

Absent: Director John J. Leavitt.

Staff: General Manager Richard C. Trudeau, Asst. General Manager Jerry D. Kent, Chief of Administration Robert Owen, Controller Ralph Meilandt, Department Heads: Christian Nelson, Chief of Parks and Interpretation; Hulet Hornbeck, Chief, Land Acquisition; Lewis Crutcher, Chief of Planning and Design; Larry Olson, Chief, Public Safety; Linda Chew, Development Administrator; Karen Weber, Personnel Manager; Staff Members: Bill Gries, Donald Harms, Judy Walsh, Grace Lewis, Dennis Beardsley, Harold Luhtala, June Miller, Mary Luersen, Bob Flasher, and District Counsel Donn Black (Wendel, Lawlor, Rosen & Black).

Visitors: Although a number of visitors were present, only Jean Oates (Leslie Salt) signed the Log.

B. APPROVAL OF AGENDA

Subject to the addition of two addenda items, possible adoption of Board resolutions following the insurance committee report (agenda item 5. a.), and a presentation by Mr. Assid Corban, Chairman of the Greater Auckland Regional Parks on the regional park system of Greater Auckland, the agenda for the meeting was approved by unanimous vote, on motion of Director Cogswell, seconded by Director Jefferds.

C. APPROVAL OF MINUTES

On motion of Director Jefferds, seconded by Director Kessel, the Minutes for the Board meeting of March 7, 1978 were approved by a 5 to 1 vote. Director Costa abstained from voting, having been absent from the March 7 meeting. Approval of the Minutes was subject to typographical corrections, as well as an expression of the Board's gratitude and appreciation to Senator Nicholas Petris' Secretary, Alfreda Abbott, for her support in having Senator Petris introduce legislation to seek additional state funds for the restoration and preservation of Lake Temescal (page 10, item 6).

Director Jefferds also suggested that her comments on the California Association of Recreation and Park District workshop at the Fresno Conference, February 24-28, on public liability, workman's compensation, and other insurance programs (page 9, 1st paragraph) be noted. Further comment on the CARPD insurance program is reported in these Minutes under agenda item 5.a. (Insurance Committee Report).

D. BUSINESS BEFORE THE BOARD

1. CONSENT CALENDAR

On motion of Director Jardin, seconded by Director Costa, Consent Calendar items "a" and "c" were approved by unanimous vote. Items "b", "d" and "e" were pulled for discussion. The adopted resolutions are noted below.

a. Approval of Demands for March 10, 1978.

Resolution No. 1978-3-64 covers the Consent Calendar motion and approves the Demands for the period ending March 10, 1978, totaling \$441,145.21. A copy of the resolution is attached for reference.

b. Approval of Negative Declaration/Notice of Determination to Proceed on Picnic Area Expansion and Improvements to Marina at Chabot Regional Park.

This item had been removed from the Consent Calendar at the request of Director Cogswell, who asked what type of vegetation existed in the proposed picnic areas and said it was impossible not to have some impact and not to damage some plants to put in a picnic area.

Assistant Chief of Planning and Design Donald Harms stated that basically there were two types of areas to deal with at Chabot, one was the riparian grove along the stream, adjacent to the heavily used turf area around the food concession and because of the heavy use the understory is beaten down already. The other area, Mr. Harms said, is open grassy meadows and that there are a few oaks at the Nike site, but that there are no plans to prune the lower limbs. Director Cogswell suggested that sometimes he would like to see a realistic appraisal on an environmental impact report, as there will be a significant impact upon the grasses and weeds and so on being destroyed to put in a picnic area, even though the impact will be positive.

Director Jardin suggested that, if anything, there should be more planting of trees as the Nike site gets the full sun in the afternoon and picnickers will be looking for shelter. Mr. Harms stated that Directors concerns could be mentioned in the report.

Director Jardin moved to approve a Negative Declaration and Notice of Determination to proceed with the project. Director Cogswell seconded the motion. Resolution No. 1978-3-65 was accordingly adopted by unanimous vote, approving the project and directing the filing of a Notice of Declaration to proceed with the project. A copy of the resolution is attached for reference.

President Badger questioned the fact that the staff estimate in the Board packet listed 36 picnic units at \$1,000 each. Mr. Harms explained that the term "picnic units" was applied loosely, that this included large masonry barbecue units for group use, preparation of the surface beneath the tables, chips, gravel, etc., and included more than just the picnic tables. President Badger still contended that the \$1,000 figure was extremely high and hard to justify and suggested that staff tighten up on this sort of thing.

c. Rejection of Bid of \$54,739.00 for Renovation of the Exhibit Laboratory Building, Robert Crown Memorial State Beach.

This item was covered by the Consent Calendar motion of Director Jardin, seconded by Director Costa. The resolution, No. 1978-3-66 calls for rejection of the one bid received in the amount of \$54,739.00 for which \$26,739 had been appropriated in the 1977/78 budget for this purpose. The resolution also directs staff to rebid the project for Board consideration at a later date. A copy of the resolution is attached for reference.

d. Allocation of additional \$25,000 for Professional Services for Land Department, Account No. 21-50-551.

President Badger requested that this item be pulled from the Consent Calendar for discussion and asked for more detail, inasmuch as the additional amount brings the total for professional services for the Land Department up to \$95,000 for the fiscal year. President Badger said that although the land acquisition program was moving ahead in high gear, this amount for professional services seemed rather excessive.

Chief of Acquisition Hulet Hornbeck explained that at the beginning of the fiscal year \$55,000 was budgeted for professional services for his department, with another \$15,000 added in the midyear budget review, and that the additional \$25,000 at this time would leave a balance of \$8,889, as the department has gone beyond the reserve amounts. Mr. Hornbeck said that rather than requesting an adjustment at the close of the fiscal year, he felt it was important that this item be identified now.

Mr. Hornbeck said he also thought it was important to include in the Board packet the types of professional services used by his department in the land program, which becomes more intensified each year and which will continue to do so as long as they have the same funding for land acquisition. Mr. Hornbeck said there were five general categories of services: real estate appraisals, title reports, legal services, negotiators, and engineering. Engineering, Mr. Hornbeck said, has now become more frequent because the data assists in the negotiations. Mr. Hornbeck said there was a certain regularity in the professional services, which amounts to about 4% or 5% of the value of the land acquired.

Mr. Hornbeck cited the complexities and number of land department staff in federal government and other public agencies and that if the land department staff were increased the overhead costs would be far in excess of the amount which the department pays for the required professional services.

Director Kessel asked what the prognosis was for the future as the District proceeds to complete the Master Plan. Mr. Hornbeck said that the larger the size of the land unit, the lesser the percentage of cost of acquisition and that this accelerates as the parcels become smaller and closer in, and that costs therefore will increase.

Director Jardin complimented Mr. Hornbeck for the information in the Board packet and for delving into the costs, revealing to the Board how much work is going on in the Land Department.

Business Agent for Local 2428 Tom Rankin commented that it was disconcerting that at the same time as the District was instituting hiring freezes and leaving positions in the bargaining unit unfilled, asking the union to tighten the belt, it is still continuing to spend money on outside consultants. Mr. Rankin suggested that the Board

seriously consider the alternative of discontinuing outside consultant services. If the District does not, Mr. Rankin said, this was a clear indication to the union where the District's priorities were and would be taking the Jarvis/Gann initiative out on the employees, but not on anything else. However, President Badger stated he did not read it that way, that if the District is going to meet its commitments to acquire property, it is necessary to have consultants determine the value of the property and carry out all the things that are required in negotiating and buying property. This, Mr. Badger said, is not infringing on the union's rights or salaries, and is something that has to be done.

Mr. Rankin suggested that some of the services could be done in-house, such as the engineering and negotiation. Mr. Badger said the point was well taken and asked staff to review this and come back with some information at a later date. Director Kessel, in checking the list of services, commented that some of the larger amounts involved outside appraisers, those who set the fair market value, which, to carry any kind of legal credibility, has to be done outside. Mr. Hornbeck also added that even the federal government goes to outside consultants who are prepared to be called as witnesses and will be subject to both examination and cross-examination and there is an element, whether valid or not, of credibility which has weight in court.

General Manager Trudeau also assured Mr. Rankin that he takes a very hard look and challenges any kind of outside consultant services in the Planning and other departments, but that the land field is specialized, particularly with appraisers, and it is something which has to be done in terms of the funds from AB 925 and is mandated by the legislature.

Director Costa noted that several of the services were for surveys and suggested the possibility of having the District's survey crew do this. President Badger urged staff to consider that possibility. As there were no further questions, Director Jefferds moved to approve the additional \$25,000 allocation for professional services. Director Costa seconded the motion. Accordingly, Resolution No. 1978-3-67 was adopted by unanimous vote, a copy of which is attached for reference.

e. Approval of Position Descriptions - Fire Department

This item covered six different Fire Department positions: Volunteer Firefighter, Volunteer Fire Officer, Volunteer Engineer, Seasonal Firefighter, Fire Captain, and Fire Chief. Director Jefferds noted that the job description for the Fire Chief did not require a valid driver's license. Chief of Administration Bob Owen stated that this was an oversight, that a valid driver's license is required and would be added to the description.

Director Kessel asked for a definition of "volunteer" firefighter. Mr. Owen said that the volunteer firefighters are currently all District employees and that it was the intent to open up the volunteer fire department in the future for people outside of the District. Director Kessel asked who might some of these people be. Mr. Owen said this could include employees of other fire departments who would like to be volunteer fire fighters for the District. They would not be paid, Mr. Owen said, unless the Board approved some minimal rate for their services. Mr. Owen also stated that the job descriptions provide for training as a peace officer under the Penal Code to have power and authority at a fire to help maintain a situation around a fire. This training, Mr. Owen said, did not have the connotation of a police officer, and the individual would not carry firearms.

Director Kessel asked if this had anything to do with the addenda item relating to salaries for temporary and seasonal employees, which establishes a rate for firefighters at a significant reduction. Mr. Owen said there was no connection between the job descriptions and the rate, except that it would establish the rate for volunteer firefighters in the event the District were to hire any.

Director Kessel also asked if this could conceivably transfer people from one bargaining unit to another. Mr. Owen said it did not. As there were no further questions, Director Jefferds moved to approve the six job descriptions. Director Costa seconded the motion. Accordingly, Resolution No. 1978-3-68 was adopted by unanimous vote and covers all six positions. A copy of the resolution is attached for reference.

2. LAND ACQUISITION

- a. Authorization to deposit funds with Alameda County Clerk's Office, along with orders fixing security and permitting immediate possession - Garin Avenue Improvement Project - Zaballos and Jordan Properties.

Following a brief explanation by Chief of Acquisition Hulet Hornbeck and based on the information in the Board packet, Director Cogswell made the motion to authorize a deposit of \$6,200 for acquisition of a portion of the Zaballos property needed for the widening of Garin Avenue and the appropriation of \$10,000 to cover legal fees, court costs and other expenses for this acquisition. Director Jardin seconded the motion. Resolution No. 1978-3-69 which was adopted by unanimous vote, covers the Board action. A copy of the resolution is attached for reference.

Director Cogswell also moved to authorize a deposit of \$3,920 for acquisition of a portion of the Jordan property for the widening of Garin Avenue and the appropriation of \$10,000 to cover legal fees and court costs. Director Jardin seconded this motion as well. Resolution No. 1978-3-70 covers the Board action, which was adopted by unanimous vote. A copy of the resolution is attached for reference.

- b. Approval of resolutions authorizing: (1) Entering into a License Agreement with Santa Fe for a Pedestrian Overcrossing.

Based on the information in the Board packet, Director Jefferds moved to authorize execution of a license with AT&SF for construction of the pedestrian overcrossing at George Miller, Jr. Regional Shoreline. Director Kessel seconded the motion. Resolution No. 1978-3-71 authorizing execution of the license was adopted by unanimous vote. A copy of the resolution is attached for reference.

- (2) Entering a Lease for a portion of the Unused Santa Fe Right-of-Way.

On motion of Director Kessel, seconded by Director Cogswell, Resolution No. 1978-3-72 was adopted by unanimous vote authorizing execution of a lease with AT&SF on land encroached upon by District improvements. This lease was necessary because the pedestrian walkway and fence were constructed 12 feet westerly of the appropriate easement line and therefore encroached into the Santa Fe right-of-way for the entire length of the walkway and fencing. The lease corrects this problem, which otherwise would have necessitated relocation of the walkway and fencing at a greater expense than the lease cost to the District of \$560 per year. A copy of the resolution is attached for reference.

In the discussion which took place on this subject, General Manager Trudeau explained that because of potential problems, this was a matter of possible litigation and should come to the Board in Executive Session at the next meeting.

Director Jefferds questioned the short term of the lease of 3 years and asked if staff had an estimate on the alternatives. Assistant Chief of Planning Donald Harms replied that the alternatives are under study at the present time and said he preferred not to volunteer a ball park figure. General Manager Trudeau also commented that the lease, although for three years, if the District finds another solution, it has the right to cancel the lease upon 90 days notice.

Director Kessel questioned the \$560 annual cost. Mr. Hornbeck said this figure is set by federal and transportation agencies and where their lands are to be crossed or used and determined not to be a specific benefit to the railroad, their regulations provide that the seeking party reimburse the railroad for incurred costs. This, Mr. Hornbeck said, is their computation of the cost of having the District on that strip of their property.

Director Kessel asked who had handled the land survey. Mr. Trudeau said this would be discussed in the Executive Session. On the term of the lease, Director Cogswell noted that this was not the only one which the District will have to keep renewing at a regular interval, that there is a lease at Coyote Hills that has to be renewed every year and in each case the lessor does have the right not to re-lease it. Mr. Hornbeck said there was also an element of retaining a good relationship with the railroad and that this was an item of good housekeeping as well.

President Badger asked if the western pier of the overcrossing was on the property which the District is going to be leasing. Mr. Harms said as soon as the mistake was discovered the support for the pedestrian crossing was moved in the design drawings so that the pedestrian crossing is wholly outside of the leased area. Mr. Harms said the design calls for a landing platform, roughly 80 x 24 feet, and that the pedestrian bridge comes down on the platform which provides some fishing benefit.

3. PARK OPERATIONS and PUBLIC SAFETY

- a. Authorization to purchase two Mobile Homes - one for Contra Loma (new) and one for Point Pinole (second-hand), at a cost of \$21,681.50 to serve as Security Residences.

Revenue Operations Specialist Stan Smith reported on this item and stated that in his current budget \$16,000 had been set aside to add on a couple of rooms to park residences but because of the high building costs, this has been deferred and instead, it was suggested that the \$16,000 be utilized toward the purchase of these mobile homes. Mr. Smith described the quality of the two homes proposed to be purchased.

President Badger said he was greatly concerned about safety for the person who would be occupying the Point Pinole residence, being so far removed from security protection, and was assured that adequate protection will be a consideration. Director Jardin moved to approve purchase of the three-bedroom Mobile Home to be used as a security residence at Contra Loma. Director Costa seconded the motion. Accordingly, Resolution No. 1978-3-73 was adopted by unanimous vote to cover the Board action. A copy of the resolution is attached for reference and provides for the purchase of the Mobile Home for \$16,775.00 and allocates the necessary funds to complete the purchase and pay for the hook up costs.

Director Jardin moved to authorize purchase of the Mobile Home for Point Pinole

and allocate \$3,400 to cover the purchase price and incidental expenses. Director Costa seconded the motion. Accordingly, Resolution No. 1978-3-74 was adopted by unanimous vote, a copy of which is attached for reference.

- b. Adoption of a resolution, in accordance with Ordinance 38, Section 410.0, Designating, within the Regional Parklands, All Roads, Roadside Areas, and Parking Lots as areas where alcoholic beverages of any kind shall not be consumed or served.

On motion of Director Jefferds, seconded by Director Kessel, Resolution No. 1978-3-75 was adopted by unanimous vote designating all vehicular roads, and areas within 50 feet of the edge of any such road, and parking lots of all East Bay Regional Park District lands within District Parks and Trails, as areas where no alcoholic beverage of any kind may be served or consumed. A copy of the resolution is attached for reference.

This action was necessitated because of the significant public safety problems within the regional parks directly related to the consumption of alcoholic beverages. In seconding the motion, Director Kessel commented that this was a good thing because so often the problem of alcoholic beverages starts in the parking lots and this gives the Public Safety Department the authority to nip it in the bud.

Director Jefferds urged that appropriate signs go up in all the areas as quickly as possible and suggested that it be given priority, saving everybody trouble in the long run. Chief of Public Safety Larry Olson said he agreed that the signing should take place as soon as possible and requested that heavy publicity and news stories go out to the press.

Director Cogswell questioned use of the word "possess" and was assured by Chief Olson that this was deleted from the final resolution. Assistant General Manager Kent also stated that "possession" would apply to beach and swim areas where the District does not want them to either serve, consume or possess, but that possession would not apply to the parking areas as there is need to get it from the parking lot to a picnic area. To further clarify the resolution, Mr. Kent said its purpose was to designate areas where no alcoholic beverages of any kind may be served or consumed. Director Jardin suggested that the message be gotten out to the public without the need for scattering large signs throughout the park system. Mr. Olson said that would be taken into consideration, but that there will have to be some signing.

4. PLANNING AND DESIGN

- a. Award of contract after bidding - Garin Avenue Improvements between Clearbrook Circle and Garin Regional Park (Jordan Recreation Cluster).

On motion of Director Cogswell, seconded by Director Jardin, Resolution No. 1978-3-76 was adopted by unanimous vote, authorizing the award of a contract to East Bay Excavating Co., Inc. of Hayward for the widening of Garin Avenue at a cost of \$83,507.00. The resolution allocates an additional \$8,353 for contingencies. A copy of the resolution is attached for reference.

Assistant Chief of Planning Donald Harms noted that the contractor is required to keep the road open during the widening improvements and assured Director Cogswell

that the area residents are fully aware of the District's plans to widen the road and that many of them attended the Planning Commission hearing on the matter.

5. REPORTSa. Insurance Committee

In the absence of Chairman of the Insurance Committee, Director John J. Leavitt, Director Costa reported on the insurance committee meeting of March 14, attended by the Board committee members (Leavitt, Costa and Kessel), General Manager Trudeau, Bob Owen, Ralph Meilandt, and Walt Schreiner of E. H. Phillips. Director Costa said the committee agreed upon the following recommendations.

1. To self insure the Bell helicopter hull at a saving of \$4,000 per year in premiums.
2. To self insure some auto liability, with Mr. Schreiner to come up with specific recommendations prior to April 1.
3. To assume a larger liability insurance deductible, perhaps up to \$100,000, and set aside a reserve fund for this purpose, and again with Mr. Schreiner to come up with appropriate recommendations prior to April 1.
4. To self insure Workman's Compensation (pending outcome of Jarvis) as recommended by Controller Meilandt.
5. To hire an independent insurance consultant to review the District's total insurance package and recommend changes if needed.

Director Costa stated that Mr. Schreiner agreed wholeheartedly with the idea of retaining a consultant to review the District's whole program to see if there were areas where savings were possible. Mr. Costa said the present insurance budget is \$283,000 annually and that it would go up from there.

Director Jefferds stated that the California Association of Recreation and Park Districts had a work session on self insure at the Fresno conference and that she brought back a lot of information on this and passed it on to Mr. Owen or Mr. Kent. Director Jefferds asked if someone will be going to the Administrators meeting on the 28th of this month. Mr. Trudeau advised that Mr. Kent would attend that meeting. The information from that source, Miss Jefferds said, on both public liability and Workman's Compensation should be very useful to the District.

Director Jefferds noted that CARPD is contemplating a program on public liability insurance for recreation and park districts, which might be applicable to the District, and that it might be premature to take steps that could shut out the possibility of the District taking advantage of any program that develops. Controller Meilandt reported that he has had some rather deep discussions with the consultant to CARPD on this subject and that one of the difficulties is that recreation and park facilities are the second highest category of insurance premiums, whereas the District has very few facilities that can be called "structured". As a consequence, Mr. Meilandt said, the District does not have the same kind of liability exposure.

Director Jefferds suggested that if the District could get CARPD to support the District's background, which is different from theirs, it would give the District more strength. Miss Jefferds felt that CARPD was in a position to help the District.

Director Costa recommended that the Board move to establish the reserve for uninsured

losses and made the motion to adopt the draft resolution prepared by Controller Meilandt, subject to some minor revisions. Director Kessel seconded the motion. Accordingly, Resolution No. 1978-3-77 was adopted by unanimous vote setting up the reserve for uninsured losses at the rate of \$100,000 per year for a total of \$500,000 year-end balance in 1981/82. A copy of the resolution is attached for reference.

Director Costa also moved for the General Manager to seek proposals and negotiate an agreement for review of the District's total insurance package and to come back to the Board for approval of such an agreement. Director Kessel seconded this motion also, which passed by a 5 to 1 vote. Director Jefferds cast a "no" vote, feeling that the District should communicate with CARPD before acting.

Director Jefferds said the District would be duplicating the kinds of research that's already being done by CARPD and that this should be put off until there is some kind of direct contact to find out what's been going on. On the basis of that, staff could come back with a proposal, Director Jefferds said. Director Jefferds pointed out that it would be helpful for the District's purposes to get parks separate from recreation into a different category where the liability would be lower and that if the District worked with CARPD in this kind of proposal, the necessary support would be there. President Badger said the motion did not preclude that possibility. General Manager Trudeau also stated that staff would be following up on this, as well.

Controller Meilandt commented that the committee recommendation on the consultant was aimed more at the quality the District should be getting and at the right price, rather than the general field of liability insurance. Director Kessel added that the biggest problem for the District was finding a primary carrier for an umbrella policy. Resolution No. 1978-3-78 covers the Board action to retain a consultant to study the District's insurance program. A copy of the resolution is attached for reference.

Director Costa moved to act on the balance of the committee recommendations to self insure the helicopter hull and some or all of the District's motor vehicles. Director Jefferds seconded this motion, which passed by unanimous vote. This is covered by Resolution No. 1978-3-79, a copy of which is also attached for reference. General Manager Trudeau noted that if there are complications on the insurance, he would contact the Directors and possibly call for a special session of the Board.

Director Jardin advised that he was apprehensive about self insurance if the Jarvis/Gann passes, because damaged equipment would not be replaced. Controller Meilandt responded that the District is self insured for collision and that auto liability has been fully covered, and that the intent is to self insure for a higher deductible. Both Directors Costa and Kessel noted the District's good safety record and low cost on claims, and that the committee recommendations were the way to go.

No action was taken regarding the recommendation to self insure Workman's Compensation. Chief of Administration Owen said this would be considered after the June election.

b. Finance Committee

Director Harlan Kessel, Chairman of the Finance Committee (Directors Kessel, Costa and Jefferds) reported that their March 15 meeting covered a wide range, with a number of scenarios discussed because of the Jarvis amendment. Director Kessel said it was a real loss to the taxpayers that the time has to be spent in this fashion. Mr. Kessel said that a very positive session was had with three representatives of the Operating Engineers Local #3 and directed that a letter from the local, which was just received, be given to the other Board Members.

Director Kessel suggested that for next year's budget sessions which would be publicly noticed that input be asked in the beginning from all concerned groups, including the taxpayers associations, before they begin their deliberations and from then on move ahead to getting the committee work done, but not at publicly noticed meetings. As many as three meetings, Mr. Kessel said, could be publicly noticed to assure as much public input as possible.

Because of the legislative situation, Director Kessel said it was difficult for the committee to get any work done and that a line by line review of the budget would have to come later. General Manager Trudeau reminded the Board that a meeting with the legislators has been set for April 5 and that it will be necessary to review the budget with the committee before that date.

c. Jarvis Initiative

General Manager Trudeau reported on the organization of the statewide committee to defeat the Jarvis/Gann Initiative and presented the Board with informational material which had been prepared and privately funded, so that District funds are not involved in any of the things the committee does. Mr. Trudeau stated that the Alameda and Contra Costa County organization is chaired by Joseph Bort as Chairman and Eric Hasseltine as Vice Chairman. A northern headquarters, Mr. Trudeau said, will be opened in San Francisco and a speakers bureau has been set up.

Mr. Trudeau said the East Bay Trails Council has adopted a resolution against the Jarvis initiative and has contributed \$100 to the campaign. Mr. Trudeau stated that only ten weeks remain for the statewide committee to garner its forces to defeat this the measure, which, if passed, will hurt all public agencies. Mr. Trudeau also commented on the effect this has had on Alameda County and the freezes which have been applied by some agencies. Many cities have also cut out a lot of projects, Mr. Trudeau said, adding that the District has not taken the drastic steps that some of the other public agencies have taken. Fortunately, the District is a little better off than some of the agencies because it has a reserve to work with, Mr. Trudeau said.

Mr. Trudeau said the committee could use all the assistance it can get, both financially and for speakers. Support, he said, is also coming in from industry. The union support, Mr. Trudeau said, has been outstanding. Thoughts, ideas, and financial help, Mr. Trudeau said, will all be welcome.

d. Lake Temescal

Dennis Beardsley, Grants Coordinator in the Development Department, reported on the status of the Lake Temescal project. Mr. Beardsley reviewed Director Kessel's presentation and proposal at the March 7 Board meeting for Senator Petris to introduce legislation for additional funding to restore Lake Temescal and the fact that the Board adopted a resolution supporting the concept.

Mr. Beardsley stated that the material presented to Senator Petris was in three stages involving the known and unknown, the known being stage 1 which includes the Environmental Protection Agency Clean Lakes Grant for \$244,000 to be matched by the District for an equal sum. Stages 2 and 3, both in amounts of \$244,000, were presented to Mr. Petris, Beardsley said, and represented what was needed to complete the project to adequately meet the needs of Lake Temescal to keep it open to the public. Most of the additional monies would be used for more extensive dredging, which would have a direct benefit to the District and would extend the life span of the lake at least an additional eight

years. Without the support from the State, Beardsley said, the District would be looking at a maintenance dredging program that would be something less than eight years. The exact time frame, he said, is somewhat uncertain because of the watershed, the amount of siltation which varies from year to year, but that the average has been about 10,000 cubic yards.

Mr. Beardsley said he met with staff members of Senator Petris' office and has provided that office with all of the material in terms of the funding request, plus additional material in terms of justification.

Director Kessel commented on the high cost of dredging and recommended that the District dredge as deep as possible this time to forestall the huge expense in the future. Director Kessel also acknowledged the contribution of Alfreda Abbott of Senator Petris' office for initiating a good deal of the legislation itself and the ideas which brought it about. Director Kessel stated that Ms. Abbott has been a user of Lake Temescal since she was a child and that her love for the lake is as great as that of the Directors. Although Ms. Abbott has been thanked personally by staff members and the Board, Director Kessel suggested that her interest and concern in protecting the lake be noted in the record.

Mr. Beardsley said that Senator Petris has decided to go for the full \$488,000 and that if something less becomes available, the District is prepared to suggest priorities where the money will be used. General Manager Trudeau advised, however, that in order to get this kind of legislation through it will require statewide assistance and that support is being sought from the California Park and Recreation Society and the California Association of Recreation and Park Districts. Mr. Trudeau also commented on some of the difficulties in the funds coming from the State's General Fund and the State surplus, and that alternatives sources of funding are being studied.

Director Jardin stated his concerns about Lake Temescal being closed during the heavy use summer period due to the dredging, but was assured by Mr. Trudeau and Assistant General Manager Kent that the major work would be done after schools open in September or October. Mr. Beardsley cautioned that there was a time constraint as to the EPA grant which has a life span of two years and expires in April 1979 and that there were some elements that need to be completed in the dry weather that may infringe on the regular swim season.

Assistant Chief of Planning Donald Harms stated that the dredging operation itself will take about six months and that this will be done during the winter period, but that there is some work to be done in the stream bed that has to be done late in the summer or early fall before the flow in the creek gets to a point where the work can't be done efficiently.

E. ADDENDA TO AGENDA

1. Award of Contract for New Fuel Tanks, Pumps and Lift for Vehicle Maintenance Shop, Anthony Chabot Regional Park.

Based on the information included in the Board packet, Director Jardin moved to award the contract for the necessary equipment to Winter Petroleum Service of San Jose, at a base bid cost of \$22,475. Director Jefferds seconded the motion. Accordingly Resolution No. 1978-3-80 was adopted by unanimous vote to award the contract at the base bid price, plus a contingency allowance of \$525. A copy of the resolution is attached for reference.

2. Approval of Seasonal Rates

Although information on this addenda item had been submitted in the Board packet and the staff recommendation was to approve salary increases for seasonal employees an average of 0.7%, the decision of the Board was to table the item to the next Board meeting. This was done by the motion of Director Kessel, seconded by Director Jefferds, and passed by unanimous vote.

Director Kessel based his motion to table this item on the fact that he felt something like this should have come through the Finance Committee, accompanied by some kind of data, particularly because of the staggering reductions in two, if not three, of the classifications, and the formula used by staff to come up with the rates. Director Kessel said there was no reference to the cost of living index, although there are percentages changes in the rates supposedly based on comparisons with other public agencies.

Chief of Administration responding to Director Kessel's concerns, stated that in terms of past history on nonrepresented seasonal employees, the process has not been to review them with the Finance Committee. In setting the seasonal rates, Mr. Owen said, the process has been to ascertain how the rates compare to that of other agencies and that this is the way it has been handled in the past. The subject has never been brought up through the Finance Committee nor questioned, Mr. Owen said, so it was done in the exact manner as in past seasons.

Director Kessel asked if there were any significant reductions in past years of the dimension indicated. Mr. Owen responded that he did not believe so, that it was the feeling among staff that the rates, as they have been going up, have been well above other local rates and that the relationship between duties and some of the rates had gotten out of bounds. After conduct of a survey and the rates of other agencies, this was the proposed rates staff came up with, Mr. Owen said.

Director Kessel said he approved of this kind of research but questioned why the information hadn't come to the Board, that it was listed as an addenda item, and that the Board lacked the usual background information on what was potentially a very explosive issue. Mr. Owen said staff did not see it in this light and that it was handled in the same manner as previously.

Although the position openings have been posted, Mr. Owen stated that the notices have not indicated a definite hourly rate. Mr. Owen confirmed that the Board need not act on this at this meeting. Director Kessel suggested that more background material be furnished the Board. Director Cogswell stated also that he would like to see comparative rates, as did Director Jardin.

At this point Director Kessel made the motion to table this to the next meeting, as indicated in the first paragraph above.

3. Financial Statement

Although the Financial Statement for the period ending February 28 had been included in the Board packet, it was the Board decision to put this over for acceptance and filing to the next Board meeting, April 4.

F. COMMUNICATIONS

General Manager Trudeau acknowledged receipt of 21 separate communications relating to the Emeryville Crescent and the shoreline bicycle trail, which the Board will have to come to grips with in the near future.

Mr. Trudeau also called attention to the letter from Neal Vinson on a meeting to discuss development plans for the north end of Briones, which has been scheduled for March 29. Mr. Trudeau said that a number of staff people will be involved in the meeting and that he will attend, at their request, and will listen to their viewpoints.

General Manager Trudeau also called attention to Judy Walsh's reports relating to ABAG, to legislative activity and to the Urban Study. Director Jefferds noted that one of Ms Walsh's comments on the NRPA meeting was the strong feeling among the participants that the federal government should not get involved in parks maintenance and operation, that quite the reverse was cited in terms of the Roberti bill discussions on a local level and asking that state funds be specifically allocated for M&O. Ms. Walsh said she would check this further, that this was her impression, and get back to the Board.

Director Jefferds also noted there was a proposal for the federal government to "land bank" lands and if the federal government was picking up on the District's category of land banking, and whether the District got any credit for the idea. Ms. Walsh said the District did not get any credit for the idea.

G. COMMENTS - GENERAL MANAGER, BOARD, PUBLIC

General Manager Trudeau reported that the Roberti and Rosenthal bills come up for discussion in Sacramento on March 28, and also called attention to Mr. Manley's letter and enclosure of AB 2811(Knox) to clarify the Board compensation.

Referring to Mr. Naley's bill for cost disbursements, Director Jefferds questioned whether the \$20.00 yearly dues to the California Park and Recreation Society should be covered by the District.

President Badger stated that the Knox bill should clarify the point that the Board will not have to notice committee meetings and will be compensated for such meetings at such time as the Governor signs the bill. Counsel Donn Black commented that once the legislation is passed, the Board will need to pass its own resolution to implement the law.

Mr. Trudeau noted that because of the Jarvis Initiative most public agencies are prohibiting out of state meetings and that this is also being done by the District at the management and staff level as well. Director Jefferds commented that Director Jardin has mentioned this before. After discussion Director Jefferds moved that the District shall not reimburse any Director or officer for the expense of travel after this date outside of the State of California pending further action of this Board in view of the outcome of the June 7 election with respect to the Jarvis/Gann ballot measure. Director Jardin seconded the motion, which passed by unanimous vote of the Board. This was done as a matter of record, Director Jefferds said, and the Board's responsibility in dealing with public funds. It was agreed by all the Directors, at the suggestion of Director Kessel, that effort would be made to minimize all travel within the state as well.

Director Cogswell reported that at the last HASPA meeting the motion was made to allow the agency to go out of existence, and although the motion was defeated no action was taken on how the agency would be preserved, but that unless something is done to revise the joint agency agreement it will go out of existence in June.

Director Jefferds suggested that at the next meeting the agency could dissolve and then by another resolution restructure and provide for some kind of continuation of the agency, changing some items of membership and functions.

Director Costa commented on the fact that the individuals who were successful in the Lafayette election are very supportive of the East Bay Regional Park District and that a lot of support from them can be expected as to what happens on trails, etc. in that area.

Director Kessel called attention to Paul Covel's book "People are for the Birds" which is due to be released on his observations at the nation's first wildfowl refuge at Lake Merritt. The book is published by Western Interpretive Press.

Director Jefferds called attention to the Park and Recreation Picnic in Santa Cruz on April 12 put on by the State of California. Director Jefferds also complimented staff for the excellent affirmative action report and suggested that this be on a future agenda and open for questions. General Manager Trudeau said this will be on the next Board agenda.

President Badger also said he did not wish to sound like a broken record, but asked that a progress report also be included on the next agenda on the status of the Board meeting room at District Headquarters.

Upon completion of the agenda, Mr. A Corban, assisted by his wife Miriam, reported on the regional park system of Greater Auckland, which earlier had been designated as an official sister agency to the East Bay Regional Park system. Mr. Corban, who had been introduced earlier in the meeting by General Manager Trudeau, along with serving as chairman of the Greater Auckland regional parks, is the mayor of one of the largest boroughs, Henderson, and is chairman of the Auckland Local Bodies Association.

A short question and answer session was held between the Board Members and Mr. and Mrs. Corban. Mr. Corban supported the District's concern about the Jarvis/Gann initiative and urged the Board not to allow any of the regional parklands to be sold "except over their dead bodies" and to keep the admission to the parks free. Open space, he said, is a needed essential relief for today's complex urban society. The Directors were particularly interested in the stock breeding and selling business of the Auckland system.

H. ADJOURNMENT

Following Mr. Corban's presentation, the Board adjourned into Executive Session with Attorney Jack Rogers on potential litigation. When the Board returned to open session, no formal action was announced and as there was no further business to conduct before the Board, the meeting adjourned at 7:15 p.m.

Respectfully submitted,

Harold R. Luhtala, Secretary

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-64

March 21, 1978

APPROVAL OF DEMANDS - March 10, 1978

BE IT RESOLVED that the items set forth and as presented in the Demand Register for the period ending March 10, 1978, totaling \$441,145.21, are hereby approved and authorized for payment.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-65

March 21, 1978

DETERMINATION TO PROCEED--PICNIC AREA EXPANSION AND MARINA IMPROVEMENTS,
CHABOT REGIONAL PARK

WHEREAS, under the direction of Hulet C. Hornbeck, Staff has prepared an Initial Study for the Project at Chabot Regional Park known as Picnic Area Expansion and Marina Improvements; and

WHEREAS, Staff has presented and the Board has considered the Initial Study this date; and

WHEREAS, Staff has consulted with East Bay Municipal Utility District and has circulated the Negative Declaration prepared for this Project to Alameda County Planning Department, Alameda County Flood Control and Water Conservation District, Alameda County Resources Conservation District, Association of Bay Area Governments, State of California Department of Fish and Game, Castro Valley Library, City of San Leandro Parks & Recreation Department, and South County Community College District, and has given notice by posting on and near site on January 30, 1978; and

WHEREAS, the Board has considered this date all comments received in response to the Negative Declaration;

NOW, THEREFORE, BE IT RESOLVED that this Board finds that the Project will have no significant effect on the environment, primarily for the following reasons:

- a. No new uses are proposed;
- b. No natural features will be disturbed;
- c. Additions and alterations proposed will improve existing facilities; and

BE IT FURTHER RESOLVED that the Project is hereby approved and the General Manager is directed to proceed with the Project; and

BE IT FURTHER RESOLVED that the Environmental Coordinator is hereby directed to file a Notice of Declaration for this Project in the Office of the County Clerk of Alameda County and with the Secretary for Resources, if appropriate, by March 22, 1978.

Moved by Director William F. Jardin, seconded by Director Howard L. Cogswell, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-66

March 21, 1978

REJECTION OF BID - REMODELING OF EXHIBIT LABORATORY BUILDING AT
ROBERT W. CROWN MEMORIAL STATE BEACH

WHEREAS, bidding for the project known as Remodeling of Exhibit Laboratory Building, Robert W. Crown Memorial State Beach, was duly authorized in the Fiscal Year 1977/78 Budget; and

WHEREAS, the call for bids was published in the Oakland Tribune, Contra Costa Times, Hayward Daily Review and Daily Pacific Builder on January 30, 1978; and

WHEREAS, one timely bid was received and opened on February 15, 1978, from B. Stuart MacIntyre & Son, Oakland, in the amount of \$54,739.00; and

WHEREAS, staff has recommended rejection of said bid of \$54,739.00, which amount is \$26,739 over the sum heretofore appropriated to Account No. 18-11 for this project;

NOW, THEREFORE, BE IT RESOLVED that the bid of B. Stuart MacIntyre & Son is hereby rejected; and

BE IT FURTHER RESOLVED that the project be re-bid, such re-bid and results to be presented to the Board for consideration at a subsequent Board meeting.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-67

March 21, 1978

AUTHORIZATION TO ALLOCATE \$25,000.00 FOR PROFESSIONAL SERVICES FOR LAND
ACQUISITION DEPARTMENT, ACCOUNT No. 21-50-551

WHEREAS, \$55,000.00 was allocated for Professional Services for the Land Acquisition Department for Fiscal Year 1977/78, and an additional \$15,000.00 was allocated at Mid-Year Review, November 1, 1977; and

WHEREAS, the current land acquisition program includes projects involving many owners, each requiring professional services;

NOW, THEREFORE, BE IT RESOLVED that the additional sum of \$25,000.00 be allocated from Supplemental Land Fund, Account No. 29-20-308, to Professional Services, Account No. 21-50-551.

Moved by Director Mary Lee Jefferds, seconded by Director Howard L. Cogswell, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and John J. Leavitt.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-68

March 21, 1978

ADOPTION OF POSITION DESCRIPTIONS FOR FIRE DEPARTMENT

WHEREAS, Staff has demonstrated the need for revision of position descriptions for the Volunteer Fire Department, Seasonal Firefighter, Fire Captain and Fire Chief; and

WHEREAS, Staff has met and conferred with representatives of Local 2428 and the Police Association with respect to these descriptions as required;

NOW, THEREFORE, BE IT RESOLVED that position descriptions for Volunteer Firefighter, Volunteer Fire Officer, Volunteer Engineer, Seasonal Firefighter, Fire Captain and Fire Chief, which are attached hereto, are hereby adopted by the District.

Moved by Director Mary Lee Jefferds, seconded by Director Walter H. Costa, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

Position: VOLUNTEER FIREFIGHTER

Reports to: Fire Captain (Permanent)

GENERAL
FUNCTION: The Volunteer Firefighter performs fire suppression, fire prevention, maintenance of fire equipment, and other fire related work as assigned.

PRINCIPAL DUTIES and RESPONSIBILITIES:

1. Fight wildland and structural fires.
2. Inspect and maintain firefighting equipment.
3. Conduct inspections of parks and facilities for fire hazards.
4. Take weather readings to determine fire potentials.
5. Help close the parks during hazardous fire periods.
6. Inspect and service fire extinguishers.
7. Update fire maps of various parks.

MINIMUM QUALIFICATIONS:

Education: Equivalent to completion of the twelfth grade; and

Physical: At least 18 years of age at time of appointment and in good health, with no defects or problems that would interfere with the full performance of fire fighting duties; must pass the Department Physical Performance Test annually; and

Character: Must be able to pass a strict background investigation (no conviction for a felony crime); and

License: A currently effective and valid driver's license is a condition of initial and continued employment; and current First Aid and CPR cards at time of appointment; and

Availability: Must be available year round during odd and unusual hours, weekends and holidays for fire and rescue operations as called; and

Classification: If a Park District employee, then must be classified as a field operational employee; and

Training: Volunteer Firefighters chosen may be trained under Penal Code 832, the Peace Officer Training Program.

UNIFORM: Applicants who are selected for appointment to the Volunteer Fire Department will be required to purchase boots; other equipment will be supplied by the District.

Position: VOLUNTEER FIRE OFFICER

Reports to: Fire Captain (Permanent)

SUPERVISES: Volunteer Firefighters and Engineers and any other District employees who are fighting fires.

RESPONSIBILITIES:

1. To supervise participants and to participate in the weekend fire watch program.
2. Respond to any fire or emergency.
3. Upon arriving on the scene of a fire or emergency, take charge until relieved of duty by the Fire Captain or Fire Chief.
4. Performs any duties of firefighters or engineers as required.

MINIMUM QUALIFICATIONS:

A Volunteer Fire Officer must have been a Volunteer Firefighter or Engineer for the District for a minimum of two years; and

1. Must pass the physical performance test annually;
2. Must pass the oral interview;
3. Must have one year's experience supervising people.
4. A currently effective and valid driver's license is a condition of appointment;
5. Must have current first aid and CPR cards;
6. Must be available to work odd and unusual hours, weekends, holidays and perform special fire officer duties as required.

TRAINING: Volunteer Fire Officers chosen may be trained under Penal Code 832, the Peace Officer Training Program.

Position: VOLUNTEER ENGINEER

Reports to: Fire Captain (Permanent)

GENERAL FUNCTION: The Volunteer Engineer performs fire suppression, fire prevention, maintenance of fire equipment, and other fire related work as assigned. Drive and operate Fire Department equipment and other units to the scene of the emergency.

PRINCIPAL DUTIES and RESPONSIBILITIES:

1. Fight wildland and structural fires.
2. Inspect and maintain firefighting equipment.
3. Conduct inspections of parks and facilities for fire hazards.
4. Take weather readings to determine fire potentials.
5. Help close the parks during hazardous fire periods.
6. Inspect and service fire extinguishers.
7. Update fire maps of various parks.
8. Drive District Fire Department equipment to the scene of the emergency.
9. Operate fire equipment at the scene of the emergency.

MINIMUM QUALIFICATIONS:

Education: Equivalent to completion of the twelfth grade; and

Physical: At least 18 years of age at time of appointment and in good health, with no defects or problems that would interfere with the full performance of fire fighting duties; must pass the Department Physical Performance Test annually; and

Character: Must be able to pass a strict background investigation (no conviction for a felony crime); and

License: A currently effective and valid driver's license is a condition of initial and continued employment; current First Aid and CPR cards at time of appointment; and

Availability: Must be available year round during odd and unusual hours, weekends and holidays for fire and rescue operations as called; and

Experience: Recent four wheel drive, off road driving experience; knowledge of pumps and engines; experience in driving of large vehicles, such as three axle and two speed axle vehicles; and

Classification: If a District employee, then must be classified as a field operational employee.

Training: Volunteer Engineers chosen may be trained under Penal Code 832, the Peace Officer Training Program.

UNIFORM: Applicants who are selected for appointment to the Volunteer Fire Department will be required to purchase boots; other equipment will be supplied by the District.

Position: FIREFIGHTER (Seasonal)

Reports to: Fire Captain (Permanent)

GENERAL FUNCTION: The Seasonal Firefighter performs fire suppression, fire prevention, maintenance of fire equipment, and other fire related work as assigned.

PRINCIPAL DUTIES and RESPONSIBILITIES:

1. Fight wildland and structural fires.
2. Inspect and maintain firefighting equipment.
3. Conduct inspections of parks and facilities for fire hazards.
4. Take weather readings to determine fire potentials.
5. Help close the parks during hazardous fire periods.
6. Inspect and service fire extinguishers.
7. Update fire maps of various parks.
8. Perform fire hazard reduction work such as cutting brush and eucalyptus suckers, pruning trees, stacking brush and other vegetation for control burning, performing control burns of piles and other sections of land.

MINIMUM QUALIFICATIONS:

Education: Equivalent to completion of the twelfth grade; and

Physical: At least 18 years of age at time of appointment and in good health, with no defects or problems that would interfere with the full performance of fire fighting duties; must pass the Fire Department Physical Performance Test annually; and

Character: Must be able to pass a strict background investigation (no conviction for a felony crime); and

License: A currently effective and valid Driver's License is a condition of initial and continued employment; current First Aid and CPR cards required at time of appointment, copies to be submitted with application; and

Availability: Must be available to work from May 1 (or the start of the fire season) through October 31 (or two weeks beyond the end of the fire season).

EXAMINATION: Candidates who meet the above qualifications may submit applications for the position of Seasonal Firefighter; applicants must then pass an oral examination.

TRAINING: Seasonal Firefighters chosen for employment may be trained under Penal Code 832, the Peace Officer Training Program.

UNIFORM: Applicants who are selected for employment will be required to purchase boots. Other equipment will be supplied by the District.

Position: FIRE CAPTAIN (Captain, Fire Department)

Reports to: Fire Chief

SUPERVISES: District Employees on Fire Duty

DEFINITION: Under direction, to assist the Fire Chief in performing all Fire Department activities, including fire suppression, fire prevention, search and rescue, equipment maintenance, preparation of records and reports, arson investigation, and to perform other public assistance and fire related services as required.

TYPICAL TASKS: Supervise District employees while they are engaged in fire suppression and fire prevention activities; schedule fire personnel to insure adequate coverage of District lands; prepares required District and State fire reports; maintains weather stations; monitors weather conditions and prepares weather records; inspects District lands and facilities for fire prevention purposes; responds to fire, fire alarms, search and rescue calls, and other emergencies; works odd and unusual hours and on holidays and weekends as required; inspects and maintains fire extinguishers and other equipment; inspects, test drives, and performs maintenance on fire trucks and related equipment; coordinates mutual aid fire suppression activities and maintains liaison with other fire agencies; attends training programs and schools as required; assists Fire Chief in conducting District training programs; participates on committees and in various District programs; substitutes for the Fire Chief in his absence; conducts arson and other fire related investigations; maintains current skills and knowledge of fire suppression and prevention techniques; conducts controlled burning operations; coordinates fire suppression activities with the District's helicopters; coordinates with Public Safety Officers in the handling of fire and rescue activities and performs any other duties necessary and required for the safety and protection of the citizens and employees within the Regional Parks.

MINIMUM QUALIFICATIONS:

Education: Equivalent to graduation from high school; and

Experience: Three years' experience in fire suppression and/or prevention, two of which must have been in a responsible Fire Line Supervisor position; and

License: A valid California Vehicle Operator's License - Class I required at all times.

Training: Captain chosen may be trained under Penal Code 832, the Peace Officer Training Program.

Position: FIRE CHIEF

Reports to: Chief, Public Safety

SUPERVISES: Seasonal Fire Fighters; Fire Department Members; District Employees on Fire Duty

GENERAL FUNCTION: The Fire Chief will plan and direct all fire prevention and suppression operations. Specifically, this individual will conduct inspections, review facility plans, maintain fire maps, supervise controlled burning, supervise fire fighting and rescue activities, ensure proper maintenance of equipment and maintain liaison with other fire jurisdictions.

PRINCIPAL DUTIES and RESPONSIBILITIES:

Maintain a current, thorough knowledge of fire operations, techniques and equipment.
Conceive and recommend specific objectives and plans for ongoing activities and for special projects.
Plan and direct the District's fire suppression activities:
(a) Coordinate with Public Safety Administrator to ensure that communications and alert dispatch capabilities are adequate.
(b) Maintain liaison and coordinate with other fire agencies.
(c) Maintain procedures for fire suppression and ensure that these provide for coordination of fire and enforcement operations.
(d) Personally direct fire fighting activities.
(e) Ensure maintenance of strategically placed fire breaks and fuel breaks.
(f) Supervise the use of the department helicopter when used for fire suppression purposes.
Develop and maintain the District's fire prevention program:
(a) Document and disseminate fire prevention procedures for park employees.
(b) Document and disseminate fire prevention park visitor rules.
(c) Ensure development and maintenance of procedures for use of fire extinguishers and for fire emergency activities for all District employees.
Select seasonal fire fighters; ensure the maintenance of an adequate fire fighting force from among park personnel; provide for their technical training, develop and document their assignment schedules;
(a) Ensure that fire fighting responsibilities are thoroughly and clearly defined, and that Fire Department members are qualified and know what is expected of them.
(b) Determine fire suppression training needs in coordination with Personnel and the Public Safety Administrator; implement training programs; conduct training as appropriate.
(c) Maintain and communicate work assignments and on-call assignments.
(d) Periodically conduct performance evaluations which are objective and complete.
As assigned, direct fire, enforcement and other District units in search and/or rescue activities.
Prepare required records and reports on fire prevention and

Fire Chief

Principal Duties and Responsibilities (continued):

suppression activities including: (a) Fire operations' personnel and time accounting. (b) Weather analysis. (c) Facility, vehicle and equipment inspection. (d) Suppression activities including manpower and equipment used, as well as damage done. (e) Arson and other investigations.

Make recommendations to the Chief, Public Safety regarding improvements in policies, procedures, operations, equipment and facilities related to fire operations.

Prepare and maintain specifications for all District fire equipment and clothing.

Supervise the District's weather information gathering activities; ensure that adequate weather information is available during alert situations.

Direct or perform maintenance of fire fighting equipment such as hoses, extinguishers and tanks, as required.

Prepare and recommend annual budget for fire operations, including equipment, materials and personnel requirements.

Represent the District as required at meetings with managers/supervisors, Board of Directors, outside professional agency or community groups.

COORDINATES/PARTICIPATES WITH:

Maintain and coordinate with Vehicle/Equipment Maintenance to ensure adequate mechanical maintenance of fire equipment on a regular, scheduled basis.

Advise Planning and Design regarding the fire prevention and suppression considerations of proposed park master plans.

Prepare and maintain fire maps in coordination with Planning and Design.

ADMINISTRATIVE RESPONSIBILITIES:

Follows District policy in selection of subordinates, provides guidance as necessary: (a) Ensure that subordinate positions are thoroughly and clearly defined, and that incumbents are qualified and know what is expected of them. (b) Plan and direct the development of subordinates in their respective areas of technical competence. (c) Periodically conduct performance evaluations which are objective and complete. (d) Through periodic meetings, memoranda and other means, ensure the timely dissemination of information which is relevant to an employee's individual job responsibilities, or to answer questions and obtain information on a day-to-day basis for subordinate employees.

Responsible for managing employees and exercising independent judgment to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, discipline subordinate employees, direct subordinates, adjust their grievances or to effectively recommend such action.

(continued): Fire Chief

MINIMUM QUALIFICATIONS:

Education: Bachelor's Degree from an accredited college or university
 with major work in forestry, park management, public
 administration, or related field.

 and

Experience: Four years' experience in full-time suppression and/or
 prevention, two of which must have been in a responsible
 Fire Line Supervisor position. Additional experience may
 substitute for a maximum of two years for the required
 education on a one year for one year basis.

Training: Fire Chief chosen may be trained under Penal Code 832,
 the Peace Officer Training Program.

License: A valid California Driver's License is required at all times.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-69

March 21, 1978

AUTHORIZATION OF DEPOSIT OF \$6,200 AND FILING OF ORDER FIXING SECURITY AND
PERMITTING IMMEDIATE POSSESSION WITH ALAMEDA COUNTY CLERK'S OFFICE - GARIN
AVENUE/ZABALLOS PROPERTY

WHEREAS, pursuant to resolution of this Board, the East Bay Regional Park District has filed a Complaint of Eminent Domain to acquire a portion of the Zaballos property containing 0.373 acres, more or less, in fee, and 0.332 acres, more or less, in slope easement, for the Garin Avenue Improvement Project; and

WHEREAS, upon the recommendation of condemnation counsel, the District obtained and filed an Order Fixing Security and Permitting Immediate Possession, and deposited \$6,200 with the Alameda County Clerk's Office, in such condemnation; and

WHEREAS, this Board desires to ratify such action;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board hereby ratifies filing of Order Fixing Security and Permitting Immediate Possession of the Zaballos property, Garin Avenue Improvement Project;

2. That the Board hereby appropriates \$6,200 from the Supplemental Land Fund, Account No. 29-20-308, to Deposits with Others, Account No. 9-06-147, for the \$6,200 deposit with the Alameda County Clerk's Office, as required pursuant to procedures for immediate possession of the Zaballos property; and

3. That the Board hereby appropriates \$10,000 from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-97 to pay for legal fees, court costs, title insurance, and other expenses of this acquisition.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-70

March 21, 1978

AUTHORIZATION OF DEPOSIT OF \$3,920 AND FILING OF ORDER FIXING SECURITY AND
PERMITTING IMMEDIATE POSSESSION WITH ALAMEDA COUNTY CLERK'S OFFICE - GARIN
AVENUE/JORDAN PROPERTY

WHEREAS, pursuant to resolution of this Board, the East Bay Regional Park District has filed a Complain in Eminent Domain to acquire a portion of the Jordan property containing 0.267 acres, more or less, in fee, and 0.147 acres, more or less, in slope easement for the Garin Avenue Improvement Project; and

WHEREAS, upon the recommendation of condemnation counsel, the District obtained and filed an Order Fixing Security and Permitting Immediate Possession, and deposited \$3,920 with the Alameda County Clerk's Office, in such condemnation; and

WHEREAS, this Board desires to ratify such action;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board hereby ratifies filing of Order Fixing Security and Permitting Immediate Possession of the Jordan property, Garin Avenue Improvement Project;

2. That the Board hereby appropriates \$3,920 from the Supplemental Land Fund, Account No. 29-20-308, to Deposits with Others, Account No. 9-06-147, for the \$3,920 deposit with the Alameda County Clerk's Office, as required pursuant to procedures for immediate possession of the Jordan property; and

3. That the Board hereby appropriates \$10,000 from the Supplemental Land Fund, Account No. 29-20-308, to Account No. 31-98 to pay for legal fees, court costs, title insurance, and other expenses of this acquisition.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-71

March 21, 1978

AUTHORIZATION TO EXECUTE A LICENSE FOR THE ATCHISON, TOPEKA AND SANTA FE
RAILWAY COMPANY FOR CONSTRUCTION OF A PEDESTRIAN OVERCROSSING -
GEORGE MILLER, JR. REGIONAL SHORELINE

WHEREAS, by Resolution No. 1977-7-204, adopted July 19, 1977, this Board authorized application to the Public Utilities Commission for authority to construct a pedestrian overcrossing of The Atchison, Topeka and Santa Fe Railway Company railroad tracks at George Miller, Jr. Regional Shoreline; and

WHEREAS, by Decision 88524 dated February 22, 1978, the Public Utilities Commission authorized the construction of said overcrossing, subject to the District's execution of an agreement with The Atchison, Topeka and Santa Fe Railway Company; and

WHEREAS, The Atchison, Topeka and Santa Fe Railway Company has agreed to the overcrossing of its tracks under terms that provide that all costs incurred by Railroad in connection with construction of said overcrossing be reimbursed by East Bay Regional Park District; and

WHEREAS, funds for this overcrossing are included in the Supplemental Land Fund for George Miller, Jr. Regional Shoreline Capital Development in the Fiscal Year 1977/78 Budget;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to execute and deliver to The Atchison, Topeka and Santa Fe Railway Company that license presented to the Board this date regarding the construction of the pedestrian overcrossing of The Atchison, Topeka and Santa Fe railroad tracks at George Miller, Jr. Regional Shoreline.

Moved by Director Mary Lee Jefferds, seconded by Director Harlan Kessel, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-72

March 21, 1978

AUTHORIZATION TO EXECUTE A LEASE WITH THE ATCHISON, TOPEKA AND SANTA FE
RAILWAY COMPANY FOR PROPERTY AT GEORGE MILLER, JR. REGIONAL SHORELINE

WHEREAS, by Resolution No. 1976-5-123, adopted May 18, 1976, this Board authorized the development of Phases 1-5 at George Miller, Jr. Regional Shoreline; and

WHEREAS, during construction of Phase 1 the improvements were inadvertently mislocated, resulting in encroachment into the Atchison, Topeka and Santa Fe Railway Company land; and

WHEREAS, Santa Fe has offered to lease the encroached upon property to the District;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary are hereby authorized to execute and deliver to The Atchison, Topeka and Santa Fe Railway Company that form of lease presented to the Board this date, covering a 12-foot strip of land on the westerly side of The Atchison, Topeka and Santa Fe Railway Company's right-of-way extending south from Keller's Beach, for \$560.00 per year, and revocable by Lessor upon 90 days notice.

Moved by Director Harlan Kessel, seconded by Director Howard L. Cogswell, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-73

March 21, 1978

AWARD OF CONTRACT AFTER RECEIPT OF BIDS - MOBILE HOME
CONTRA LOMA REGIONAL PARK

WHEREAS, authorization to call for bids to furnish a three-bedroom Mobile Home was duly authorized under the Board's blanket Resolution No. 3577, dated October 6, 1970; and

WHEREAS, the call for bids was published in the Oakland Tribune and in the Hayward Daily Review on February 10, 1978; and

WHEREAS, two timely bids were received and opened in public on February 17, 1978, as set forth in the following summary or proposals:

<u>Bidder</u>	<u>Bid</u>
River City Mobile Home Sales, Inc.	\$16,775.00
Mobile Home Expo	\$21,681.50

WHEREAS, staff has recommended acceptance of the low bid from River City Mobile Home Sales, Inc.; and

WHEREAS, \$16,054.90 remains as part of FY 1977/78 Budget Account No. 5-04-574 for additions to District Housing which will not be built at this time but will be applied to this purchase, it therefore being necessary to appropriate the additional sum of \$3,726.60 for such purchase to cover the costs and the incidental expenses relating thereto from the Board's Contingency Reserve, Account No. 1-10-561;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such bid by District Counsel, the President, Secretary and General Manager are each hereby directed to take all appropriate actions to award a contract to such low bidder in accordance with this resolution and the call for bids in the amount of the low bid; and

BE IT FURTHER RESOLVED that the sum of \$3,726.60 is allocated from Budget Account No. 1-10-561 (Board Contingency Fund) to complete the purchase and pay hook up costs.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-74

March 21, 1978

AUTHORIZATION TO PURCHASE USED MOBILE HOME - POINT PINOLE REGIONAL SHORELINE

WHEREAS, staff has demonstrated the need for a Mobile Home to serve as a Security Residence at Point Pinole Regional Shoreline; and

WHEREAS, no funds have been budgeted or appropriated for this purchase; and

WHEREAS, such used Mobile Homes can be purchased for less than \$3,500;

NOW, THEREFORE, BE IT RESOLVED that the sum of \$3,400 is hereby appropriated out of Budget Account No. 5-04-574 for purchase of a used Mobile Home, as a Security Residence for Point Pinole Regional Shoreline, and incidental expenses relating thereto.

Moved by Director William F. Jardin, seconded by Director Walter H. Costa, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-75

March 21, 1978

DESIGNATION OF ALL ROADS, ROADSIDE AREAS, AND PARKING LOTS
AS AREAS WHERE ALCOHOLIC BEVERAGES OF ANY KIND SHALL NOT
BE CONSUMED OR SERVED (Ref. ORDINANCE No. 38, Section 410.1)

WHEREAS, Staff has identified significant public safety problems within the Regional Parks directly related to the consumption of alcoholic beverages, which include but are not limited to, drunken and disorderly conduct, fights and disturbances, property damage caused by intoxicated persons, personal injuries caused by intoxicated persons, extensive littering, harassment of other park visitors by drinking persons, disturbances to scheduled park activities, and automobile accidents caused by persons who have been drinking within the parks; and

WHEREAS, ORDINANCE No. 38, Section 410.1, permits the Board of Directors to designate areas within the Regional Parklands as areas where alcoholic beverages may not be consumed or served; and

WHEREAS, the Board has taken such action approximately two years ago with respect to Sunol Regional Wilderness and the ban on alcoholic beverages in Sunol Park has been totally successful in greatly reducing the above described public safety problems; and

WHEREAS, the above described public safety problems do occur from time to time in many of the Regional Parklands and primarily on roads, along roadside areas, and within parking lots;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors, in accordance with ORDINANCE No. 38, Section 410.1, hereby designates all vehicular roads, and areas within 50 feet of the edge of any such road, and parking lots of all East Bay Regional Park District lands within District Parks or Trails, as areas where no alcoholic beverage of any kind may be served or consumed.

Moved by Director Mary Lee Jefferds, seconded by Director Harlan Kessel, Kessel, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-76

March 21, 1978

AWARD OF CONTRACT TO EAST BAY EXCAVATING CO., INC., IN THE AMOUNT OF \$83,507
FOR GARIN AVENUE IMPROVEMENTS BETWEEN CLEARBROOK CIRCLE
AND GARIN REGIONAL PARK

WHEREAS, bidding for the project known as Garin Avenue Improvements between Clearbrook Circle and Garin Regional Park was duly authorized in the FY 1977/78 Budget; and

WHEREAS, the call for bids was published in the Oakland Tribune on January 30, 1978 and in the Contra Costa Times, Hayward Daily Review and the Daily Pacific Builder on January 27, 1978; and

WHEREAS, two timely bids were received and opened on February 15, 1978 as set forth in the following summary of bids:

<u>Bidder</u>	<u>Bid</u>
East Bay Excavating Co., Inc., Hayward	\$83,507.00
Bay Cities Paving and Grading, Richmond	\$143,642.25; and

WHEREAS, staff recommends the acceptance of East Bay Excavating Co.'s low bid, contingent upon the District's obtaining possession of all road right of way necessary for the widening of Garin Avenue in the project area; and

WHEREAS, staff has recommended acceptance of the low bid, the District estimate being \$85,510 for the project; and

WHEREAS, the sum of \$363,650 has heretofore been appropriated to Project Account No. 34-06 for this and other projects, \$284,650 thereof having heretofore been allocated to pre-bid expenses and to other projects;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such low bid by District Counsel, the President, Secretary and General Manager are each hereby directed to take all appropriate action to award a contract to East Bay Excavating Co., Inc., in accordance with this resolution at such time as the District has obtained possession of all required right of way; and

BE IT FURTHER RESOLVED that the additional sum of \$12,860 is hereby appropriated from Budget Account No. 29-20-309 (Reserve for Development and Maintenance) to Project Account No. 34-06.

Moved by Director Howard L. Cogswell, seconded by Director William F. Jardin, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-77

March 21, 1978

ESTABLISHMENT OF RESERVE FOR UNINSURED LOSSES

WHEREAS, the East Bay Regional Park District currently maintains a \$25,000 deductible with its primary liability insurance carrier; and

WHEREAS, there will be costs which the District will incur, and which will fall within this deductible; and

WHEREAS, staff has shown that it would be sound business practice and prudent to establish a reserve for such costs;

NOW, THEREFORE, BE IT RESOLVED that the Controller be directed to establish such a reserve for uninsured losses according to the following instructions:

1. A restricted reserve for uninsured liability losses shall be established in the General Fund, beginning with fiscal year 1977/78;
2. Payment of uninsured liability losses shall be made on a case by case basis, only upon authorization of the Board. Such losses shall be charged to Account No. 569, and then closed against the reserve at the end of each year.
3. This restricted reserve shall be credited with an amount each year necessary to establish the following year-end balances:

1977/78	\$100,000
1978/79	\$200,000
1979/80	\$300,000
1980/81	\$400,000
1981/82	\$500,000

4. Uninsured losses will continue to be charged to the reserve; however, no other credits will be made to the reserve, except as authorized by the Board of Directors.

Moved by Director Walter H. Costa, seconded by Director Harlan Kessel, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-78

March 21, 1978

AUTHORIZING NEGOTIATION OF AGREEMENT FOR REVIEW OF DISTRICT INSURANCE PROGRAM

WHEREAS, one of the recommendations of the Board Insurance Committee is that an independent insurance consultant be hired to review the total District's insurance package, and to analyze the District's insurance program and provide recommendations to the Board;

NOW, THEREFORE, BE IT RESOLVED that the General Manager be directed to negotiate an agreement with a qualified insurance consultant to review the District's insurance needs and present program, and to make appropriate recommendations, including the question of self insurance, deductibles and insurance alternatives, with such proposed agreement to be presented to the Board at the earliest possible time.

Moved by Director Walter H. Costa, seconded by Director Harlan Kessel, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, and Harlan Kessel.
AGAINST:	Director Mary Lee Jefferds.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-80

March 21, 1978

AWARD OF CONTRACT AFTER BIDDING - NEW FUEL TANKS, PUMPS AND LIFT FOR
VEHICLE MAINTENANCE SHOP, ANTHONY CHABOT REGIONAL PARK

WHEREAS, bidding for the project known as New Fuel Tanks, Pumps and Lift for Vehicle Maintenance Shop, Anthony Chabot Regional Park, was duly authorized in the Fiscal Year 1977/78 Budget; and

WHEREAS, the call for bids was published in the Oakland Tribune, Contra Costa Times, Hayward Daily Review and Daily Pacific Builder on February 7, 1978; and

WHEREAS, four timely bids were received and opened on March 2, 1978 as set forth in the following summary of bids:

Bidder	Base Bid	Alternates (Deduct)		
		A	B	C
Winter Petroleum Service, Inc. San Jose	\$22,475	\$ 750	\$3,000	\$1,200
Mello Petroleum, San Jose	26,424	885	2,393	1,072
Eagan & Paradiso, Oakland	30,868	858	3,137	1,720
Atlas Hydraulic Corp., Hayward	38,707	1,676	5,277	1,420 ; and

WHEREAS, staff has recommended acceptance of the Base Bid and rejection of all deduct Alternates (A, "Delete pump C" (for diesel fuel); B, "Delete 2000-gallon tank (for diesel fuel) and C, "In lieu of two (2) 8000-gallon tanks (for gasoline), and substitute two (2) 6000-gallon tanks) the District estimate being \$25,700 for the base bid items; and

WHEREAS, the lowest responsible bid was in the sum of \$22,475 by Winter Petroleum Service, Inc., San Jose, California ("low bidder"); and

WHEREAS, the sum of \$44,800 has heretofore been appropriated in the FY 1977/78 Budget for this and other projects;

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the form of such low bid by District Counsel, the President, Secretary and General Manager are each hereby directed to take all appropriate action to award a contract to Winter Petroleum Service, Inc. in accordance with this resolution; and

BE IT FURTHER RESOLVED that the sum of \$11,500, which includes \$263 contingency allowance is hereby allocated from Budget Account No. 5-07-578 to Project Account No. 18-18 and the sum of \$11,500, which includes \$262 contingency allowance is hereby allocated from Budget Account No. 45-07-578 to Project Account No. 18-18 for this project.

Moved by Director William F. Jardin, seconded by Director Mary Lee Jefferds, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION No. 1978-3-79

March 21, 1978

AUTHORIZATION TO SELF INSURE HELICOPTER HULL AND SOME OR ALL MOTOR VEHICLES

WHEREAS, the Board Finance Committee and staff recommends that the District self insure the District's helicopter hull casualty risk and some or all of its motor vehicle collision and/or comprehensive risk;

NOW, THEREFORE, BE IT RESOLVED that at the next renewal date:

1. The District shall self insure helicopter hull casualty risk;
2. The General Manager shall have the discretion to self insure some or all of the District's motor vehicle collision and/or comprehensive risk and should he deem appropriate, a special meeting of the Board may be called to consider such questions, but shall not be required to do so.

Moved by Director Walter H. Costa, seconded by Director Mary Lee Jefferds, and adopted this 21st day of March, 1978, by the following vote:

FOR:	Directors Paul J. Badger, Howard L. Cogswell, Walter H. Costa, William F. Jardin, Mary Lee Jefferds, and Harlan Kessel.
AGAINST:	Directors none.
ABSENT:	Director John J. Leavitt.

